

FEDERAL REGISTER

THE NATIONAL ARCHIVES
OF THE UNITED STATES
1934

VOLUME 27 NUMBER 174

Washington, Friday, September 7, 1962

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Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, Government Printing Office, Washington 25, D.C.



Telephone

WO 3-3261

published by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

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Rules and Regulations

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 318—HAWAIIAN AND TERRITORIAL QUARANTINE NOTICES

Subpart—Hawaiian Fruits and Vegetables

VEGETABLES OF GENUS ALLIUM, AND ONIONS

Pursuant to the authority conferred by sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), § 318.13-2(b) of the regulations supplemental to the quarantine relating to the interstate movement of Hawaiian fruits and vegetables (7 CFR 318.13-2 (b)) is hereby amended by deleting from the list of fruits and vegetables therein the following items: "Chives (*Allium schoenoparasum*)," "Garlic (*Allium sativum*)," "Leek (*Allium porrum*)," "Onion, green (*Allium fistulosum*)," and "Shallot (*Allium ascalonicum*)"; and substituting therefor, in the said list, in the proper alphabetical order, the item "*Allium* spp., such as chives, garlic, leek, onions, and shallot."

(Secs. 8, 9, 37 Stat. 318, as amended, 7 U.S.C. 161, 162; 19 F.R. 74, as amended)

The foregoing amendment shall become effective September 7, 1962.

The purpose of the amendment is to simplify the item concerning vegetables of the genus *Allium*, and to authorize the interstate movement from Hawaii of dry onions. Heretofore, onions have been authorized interstate movement from Hawaii only in the green stage, since that is the only condition in which they are customarily shipped. There is now a request for authorization to ship dry onions. Dry onions as ordinarily packed and shipped do not present a risk of spreading plant pests, and thus may be safely certified for movement when they have been inspected and found free of infestation.

The lifting of the present prohibition on the entry of dry onions should be made effective as promptly as possible in order to permit pending commercial shipments to move from Hawaii under inspection and certification. Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and the amendment may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 31st day of August 1962.

[SEAL]

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 62-8974; Filed, Sept. 6, 1962; 8:55 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 76—HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

On March 7 and May 10, 1962, there were published in the FEDERAL REGISTER (27 F.R. 2179 and 27 F.R. 4483) notices with respect to the proposed amendment of Part 76, Title 9, Code of Federal Regulations. After due consideration of all relevant material submitted in connection with such notices and pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962 (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126; 75 Stat. 481; 76 Stat. 129), said Part 76 is amended to read as follows:

GENERAL PROVISIONS

- Sec. 76.1 Definitions.
76.2 Notices relating to existence of hog cholera; prohibition of movement of virulent virus; spread of disease through raw garbage; regulations; quarantines; and eradication States.
76.3 General restrictions.

MOVEMENT OF VIRULENT VIRUS AND SWINE TREATED WITH VIRULENT VIRUS

- 76.4 Interstate movement of virulent hog cholera virus prohibited, except as provided.
76.5 Interstate movement of swine treated with virulent virus prohibited, except as provided.

MOVEMENT OF SWINE AFFECTED WITH OR EXPOSED TO HOG CHOLERA

- 76.6 Interstate movement of swine affected with or exposed to hog cholera prohibited, except as provided.

MOVEMENT OF SWINE AND SWINE PRODUCTS

- 76.7 Movement to recognized slaughtering center, licensed establishment, approved feed lot, public stockyard, or approved stockyard or livestock market.
76.8 Interstate movement of swine for feeding or breeding purposes prohibited, except as provided.
76.9 Movements from public stockyards, or approved stockyards or livestock markets.
76.10 Other movements for feeding or breeding purposes.
76.11 Movement of swine and swine products from a quarantined area.
76.12 Movement of swine and swine products through a quarantined area.
76.13 Movement of swine for slaughter and special processing.
76.14 Special processing of swine products.
76.15 Movement of specially processed swine products.

Sec. 76.16 Approved stockyards and livestock markets.

76.17 Movement of swine fed raw garbage and products from swine fed raw garbage.

76.18 Other movements.

CLEANING AND DISINFECTION OF VEHICLES AND FACILITIES

- 76.30 Cleaning and disinfecting vehicles which have contained movements of diseased swine.
76.31 Cleaning and disinfecting other vehicles and facilities.
76.32 Cleaning and disinfecting public stockyards, and approved stockyards and livestock markets.
76.33 Disinfectants to be used.

AUTHORITY: §§ 76.1 to 76.33 issued under secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 1, 75 Stat. 481, sec. 3, 76 Stat. 129; 21 U.S.C. 111-113, 114g, 120, 125. Interpret or apply secs. 6, 7, 23 Stat. 32, as amended; 21 U.S.C. 115, 117.

GENERAL PROVISIONS

§ 76.1 Definitions.

As used in this part, the following terms shall have the meanings set forth in this section.

(a) *Administrator*. The Administrator of the Agricultural Research Service, United States Department of Agriculture, or any other official of such Service to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(b) *Division*. The Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture.

(c) *Director of Division*. The Director of the Division or any other official of the Division to whom authority has heretofore been delegated or may hereafter be delegated to act in his stead.

(d) *Hog cholera*. The contagious, infectious, and communicable disease of swine commonly known as hog cholera.

(e) *Exposed swine*. Swine that have been in contact with animals known to be or suspected of being affected with hog cholera.

(f) *Virulent hog cholera virus*. The living agent capable of causing hog cholera and found in the clear serum, plasma, defibrinated blood, whole blood, or other tissue derived from pigs sick of hog cholera; or in any material used as a vehicle for perpetuating such living agent.

(g) *Modified live virus vaccine*. A living hog cholera virus vaccine produced from a modified or attenuated strain of hog cholera virus and prepared under license from the Secretary of Agriculture, issued pursuant to Subchapter E of this chapter.

(h) *Killed or inactivated hog cholera virus vaccine*. A vaccine produced from killed or inactivated hog cholera virus and prepared under license from the Secretary of Agriculture, issued pursuant to Subchapter E of this chapter.

(i) *Garbage.* Waste consisting in whole or in part of animal waste resulting from handling, preparing, cooking, and consuming of food including the offal from animal carcasses or parts thereof, but excluding such waste from ordinary household operations which is fed directly to swine on the same premises.

(j) *Raw garbage.* Garbage that has not been heated throughout to boiling or equivalent temperature (usually 212° F. at sea level) for 30 minutes, or heated according to a method specifically approved by the Director of Division.

(k) *Cooked garbage.* Garbage that has been heated throughout to boiling or equivalent temperature (usually 212° F. at sea level) for 30 minutes, or heated according to a method specifically approved by the Director of Division.

(l) *State.* Any State, Territory, the District of Columbia, or Puerto Rico.

(m) *Interstate.* From one State into or through any other State.

(n) *Quarantined area.* A State or area quarantined under this part because of hog cholera or other contagious, infectious, or communicable disease of swine.

(o) *Nonquarantined area.* Any State or area not quarantined under this part because of hog cholera or other contagious, infectious, or communicable disease of swine.

(p) *Person.* Any person, company, or corporation.

(q) *Moved or movement.* Shipped, transported or otherwise moved, or delivered or received for movement, by any person, by land, water or air.

(r) *Public stockyard.* A stockyard where trading in livestock is carried on; where yarding, feeding, and watering facilities are provided by the stockyard, transportation, or similar company; and where Federal inspection is maintained for the inspection of livestock for communicable disease. Such stockyards are listed in § 78.14(a) of this chapter.

(s) *Approved stockyard or livestock market.* Any place where swine are assembled for public auction or private sale which is under State or Federal supervision, with an accredited veterinarian performing inspection and treatment of swine as prescribed in the regulations in this part, and which has been approved by the Director of Division under § 76.16.

(t) *Recognized slaughtering center.* Any point where slaughtering facilities are provided and to which animals are regularly shipped and slaughtered.

(u) *Swine product.* Any carcass, part or offal of swine.

(v) *Special processing.* Subjecting a swine product to heat treatment in accordance with the requirements contained in § 76.14.

(w) *Clean stockyard.* A public stockyard or approved stockyard or livestock market in a quarantined area which is found by the Director of Division to be free from hog cholera and other contagious, infectious, or communicable diseases of swine.

(x) *Official vaccinates.* Swine vaccinated against hog cholera by one of the methods prescribed in § 76.9(b) or § 76.10(b) under the supervision of a

Federal or State veterinary official, permanently identified as such vaccinates as specified in this part, and reported at the time of vaccination to the appropriate State or Federal agency.

§ 76.2 Notices relating to existence of hog cholera; prohibition of movement of virulent virus; spread of disease through raw garbage; regulations; quarantines; and eradication States.

(a) Notice is hereby given that hog cholera exists in swine in each State.

(b) Notice is hereby given that the Administrator has determined that the prohibition of the interstate movement of virulent hog cholera virus, with the exceptions as specified in § 76.4, is necessary in order to effectuate the eradication of hog cholera.

(c) Notice is hereby given that there is reason to believe raw garbage is one of the primary media through which the contagion of hog cholera, swine erysipelas, trichinosis, tuberculosis, or other contagious, infectious, or communicable diseases of swine is disseminated, and that one or more of such diseases exists in each State. Notice is hereby given that there is reason to believe that if certain foreign diseases, such as foot-and-mouth disease and African swine fever, gain entrance into the United States, the contagion of such diseases may be spread through the medium of raw garbage. Therefore, the regulations in this part are deemed necessary in order to more effectually prevent, suppress, and extirpate such diseases, to prevent the interstate spread thereof, and to guard against the dissemination of diseases from foreign countries.

(d) Notice is hereby given that in order to effectually suppress and extirpate hog cholera and other contagious, infectious, and communicable diseases of swine, to prevent the spread and dissemination of the contagion thereof and to protect the livestock of the United States, the regulations in this part are promulgated to govern the interstate movement of swine and swine products.

(e) There are no areas presently quarantined under the regulations in this part because of hog cholera or other contagious, infectious, or communicable disease of swine.

(f) There are no States presently designated as hog cholera eradication States under the regulations in this part.

§ 76.3 General restrictions.

Swine or swine products referred to in this part may not be moved interstate except in accordance with the regulations in this part.

MOVEMENT OF VIRULENT VIRUS AND SWINE TREATED WITH VIRULENT VIRUS

§ 76.4 Interstate movement of virulent hog cholera virus prohibited, except as provided.

On and after January 1, 1963, virulent hog cholera virus shall not be moved interstate except that:

(a) In specific cases and under such conditions as he may impose, the Director of the Animal Disease Eradication Division may authorize the interstate

movement of stated quantities of virulent hog cholera virus for particular purposes, if he determines that such movement will not endanger swine or impair the hog cholera eradication program. Such movements shall be accompanied by a permit from the appropriate official of the State of destination and a certificate issued by the Animal Disease Eradication Division specifying any such conditions imposed regarding the specific shipment.

(b) In specific cases and under such conditions as he may impose, the Director of the Animal Inspection and Quarantine Division may authorize the interstate movement of stated quantities of virulent hog cholera virus for export, research, or biologics production, if he determines that such movement will not endanger swine or impair the hog cholera eradication program. Such interstate movements for purposes other than export shall be accompanied by a permit from the appropriate official of the State of destination and all such movements shall be accompanied by a certificate issued by the Animal Inspection and Quarantine Division specifying any such conditions imposed regarding the specific shipment.

§ 76.5 Interstate movement of swine treated with virulent virus prohibited, except as provided.

On and after July 1, 1963, swine treated with virulent hog cholera virus shall not be moved interstate, except as provided in this section.

(a) Swine treated with virulent virus, and not known to be affected with hog cholera, may be moved interstate if:

(1) Such swine have not been treated with virulent hog cholera virus within 30 days immediately prior to movement interstate and are consigned for immediate slaughter; or

(2) Such swine have not been treated with virulent hog cholera virus within 30 days immediately prior to movement interstate; are accompanied by a permit from the appropriate official of the State of destination; are moved interstate under such conditions as may be imposed by the Director of Division in order to prevent such swine from endangering other swine and impairing the hog cholera eradication program; and are accompanied interstate by a certificate issued by the Division specifying any such conditions imposed regarding the specific movement.

(b) Swine treated with virulent hog cholera virus for research and biologics production, and not known to be affected with hog cholera, may be moved interstate if such swine are accompanied by a permit from the appropriate official of the State of destination; are moved interstate under such conditions as may be imposed by the Director of the Animal Inspection and Quarantine Division in order to prevent such swine from endangering other swine and impairing the hog cholera eradication program; and are accompanied interstate by a certificate issued by the Animal Inspection and Quarantine Division specifying any such conditions imposed regarding the specific movement.

MOVEMENT OF SWINE AFFECTED WITH OR EXPOSED TO HOG CHOLERA

§ 76.6 Interstate movement of swine affected with or exposed to hog cholera prohibited, except as provided.

(a) No swine which are affected with hog cholera shall be moved interstate for any purpose.

(b) No swine known to be, or suspected of being, exposed to hog cholera shall be moved interstate except as provided in paragraph (c) or (d) of this section or in § 76.11 or § 76.13.

(c) Swine known to be, or suspected of being, exposed to hog cholera and which were officially vaccinated prior to such exposure and remain healthy may be moved interstate under a certificate issued by a representative of the appropriate State or Federal agency for immediate slaughter at a recognized slaughtering center operating under Federal, State, or local meat inspection requirements; except that such movement may not be made into States designated in § 76.2(f).

(d) Swine known to be, or suspected of being, exposed to hog cholera may be moved interstate subject to other provisions of this part if a veterinarian employed by the appropriate State or Federal agency or an accredited veterinarian authorized for the purpose by the appropriate State or Federal agency examines all swine in the herd at least 60 days after the last contact with animals known to be or suspected of being affected with hog cholera, and finds no clinical evidence of hog cholera; except that such swine shall not be moved into States designated in § 76.2(f).

MOVEMENT OF SWINE AND SWINE PRODUCTS

§ 76.7 Movement to recognized slaughtering centers, licensed establishment, approved feed lot, public stockyard, or approved stockyard or livestock market.

Swine not known to be affected with or exposed to hog cholera may be moved interstate to a recognized slaughtering center for immediate slaughter, or to a licensed establishment as defined in § 101.1(q) of this chapter or a feed lot approved by the Director of the Animal Inspection and Quarantine Division for biologics production, or to a public stockyard, or to an approved stockyard or livestock market, and shall not be diverted en route for any other purpose; except that feeder or breeder swine moved interstate for feeding or breeding purposes from a public stockyard or approved stockyard or livestock market to another public stockyard or approved stockyard or livestock market shall be subject to the provisions of § 76.9(a).

§ 76.8 Interstate movement of swine for feeding or breeding purposes prohibited, except as provided.

No swine shall be moved interstate for feeding or breeding purposes, except as provided in §§ 76.9 and 76.10.¹

¹In each instance the regulations of the State of destination should be consulted before shipments are made.

§ 76.9 Movements from public stockyards, or approved stockyards or livestock markets.

(a) Swine not known to be affected with or exposed to hog cholera may be moved interstate for feeding or breeding purposes from public stockyards or approved stockyards or livestock markets, to States the laws, rules, or regulations of which provide for the segregation or quarantine of imported hogs for a period of not less than 21 days,² if:

(1) The swine have not been treated with anti-hog cholera serum alone or antibody concentrate alone; and

(2) The swine are inspected by a Division inspector or accredited veterinarian at such yard or market; and

(3) The swine, upon such inspection, are found free from symptoms of hog cholera, in a thrifty condition, and are treated by a veterinarian under Division supervision, or by an accredited veterinarian in an approved stockyard or livestock market, in a portion of the yard or market set aside for that purpose, in accordance with the provisions of paragraph (b) of this section: *Provided, however* (i) That swine officially vaccinated not less than 21 days nor more than 1 year prior to inspection with modified live virus vaccine prepared under license from the Secretary of Agriculture and administered as recommended on the product label by the licensed manufacturer, or officially vaccinated within 21 days prior to inspection with the simultaneous inoculation of modified live virus vaccine prepared under license from the Secretary of Agriculture and a minimum of 15 cc of anti-hog cholera serum or 7.5 cc of antibody concentrate with the dosage of such vaccine to be that recommended on the product label by the licensed manufacturer, or officially vaccinated with killed or inactivated hog cholera vaccine not less than 21 days nor more than 6 months prior to inspection,³ are not required to be so treated but are subject to the other provisions of this paragraph; and (ii) that suckling pigs under 8 weeks of age nursing officially vaccinated sows are not required to be so treated; and

(4) The swine required to be so treated, are permanently identified as official vaccinates by individual cartag or other proper individual identification; and

(5) The swine are accompanied by a health certificate issued by a Division inspector at the public stockyard, or the accredited veterinarian at the approved stockyard or livestock market, showing place and date of issue, destination of

²In order to minimize possible stress associated with shipping and vaccination, feeder and breeder swine should be in transit as short a period of time as possible, with not more than 72 hours between shipment and arrival at destination.

³A period of at least 21 days is required for the development of immunity following the administration of killed or inactivated hog cholera vaccine; therefore this product should be used only for swine that have not been exposed to hog cholera and which will not be in contact with other herds, or in transit, for at least 21 days following administration.

shipment, record of official vaccination when applicable, the permanent identification of the swine, and that the swine are apparently free from hog cholera and other contagious, infectious, or communicable diseases; with a copy of the certificate forwarded to the appropriate livestock sanitary official of the State of destination;¹ and

(6) The swine are transported in a cleaned and disinfected vehicle: *Provided, however*, That if the vehicle is not regularly used to transport livestock disinfection is not required.

(b) *Simultaneous inoculation method.* Swine required under this section to be treated shall be given simultaneous inoculation with antihog cholera serum or antibody concentrate and modified live virus vaccine, prepared under license from the Secretary of Agriculture. The dosage of serum or antibody concentrate used with modified live virus vaccine shall be as follows:

(1) The dosage of serum or antibody concentrate for the treatment of swine shall in no instance be less than the respective dosage specified in subparagraph (2) of this paragraph. The dosage of modified live virus vaccine for the treatment of swine should be the respective dosage suggested in subparagraph (3) of this paragraph.

(2) *Dosage of antihog cholera serum or antibody concentrate.* Except for swine under 20 pounds in weight, the dosage of serum should not exceed one cc. per pound body weight, or ½ cc. per pound body weight if antibody concentrate is used.

Weight of swine (pounds)	Minimum dose of serum (cubic centimeters)	Minimum dose of antibody concentrate (cubic centimeters)
Under 60.....	20	10
60-120.....	30	15
Over 120.....	40	20

(3) *Dosage of modified live virus vaccine.* The dosage of modified live virus vaccine should be that recommended on the product label by the licensed manufacturer for use with the amounts of antihog cholera serum or antibody concentrate given in subparagraph (2) of this paragraph.

§ 76.10 Other movements for feeding or breeding purposes.

Swine not known to be affected with or exposed to hog cholera may be moved interstate for feeding or breeding purposes to any destination if:

(a) The swine have not been treated with antihog cholera serum alone or antibody concentrate alone; and

(b) The swine are officially vaccinated not less than 21 days nor more than 1 year prior to shipment with modified live virus vaccine prepared under license from the Secretary of Agriculture and administered as recommended on the product label by the licensed manufacturer; or are officially vaccinated within 21 days of shipment with the simultaneous inoculation of modified live virus vaccine prepared under license from the

Secretary of Agriculture and a minimum of 15 cc. of antihog cholera serum or 7.5 cc. of antibody concentrate with the dosage of such vaccine to be that recommended on the product label by the licensed manufacturer; or are officially vaccinated not less than 21 days nor more than 6 months prior to shipment with killed or inactivated hog cholera virus vaccine prepared under license from the Secretary of Agriculture³ with the dosage of such vaccine to be that recommended on the product label by the licensed manufacturer: *Provided, however,* That swine moved interstate from a farm of origin, on which such swine and all other swine on the farm have been located for not less than 21 days, to a farm of destination in a State the laws, rules, or regulations of which provide for the segregation or quarantine of imported swine for a period of not less than 21 days, and without contact with other swine en route, are not required to be so treated if accompanied by a permit from the appropriate official of the State of destination, but are subject to the provisions of paragraph (d) of this section except official vaccination;¹ and

(c) The swine, required to be so treated, are permanently identified as official vaccinates by individual eartag or other proper individual identification; and

(d) The swine are accompanied by a health certificate issued by a State or Federal inspector or an accredited veterinarian specifying the permanent individual identification of the swine and showing consignee, consignor, record of official vaccination when applicable and that the swine are apparently free from hog cholera and other contagious, infectious, or communicable diseases or exposure thereto. A copy of the certificate shall be forwarded to the appropriate livestock sanitary official of the State of destination.

§ 76.11 Movement of swine and swine products from a quarantined area.

(a) Movement of swine: Swine may be moved interstate under this part from a quarantined area to an establishment specifically approved for the purpose by the Director of Division for immediate slaughter and special processing at such establishment if accompanied by a certificate of a veterinarian of the Division or a veterinarian specifically approved for this purpose by the Director of Division, stating that veterinary inspection of such swine on the premises of origin just prior to movement therefrom disclosed no evidence of hog cholera or other contagious, infectious, or communicable disease.

(b) Movement of swine products: (1) Swine products may be moved interstate

¹ In each instance the regulations of the State of destination should be consulted before shipments are made.

³ A period of at least 21 days is required for the development of immunity following the administration of killed or inactivated hog cholera vaccine; therefore this product would be used only for swine that have not been exposed to hog cholera and which will not be in contact with other herds, or in transit, for at least 21 days following administration.

under this part from a quarantined area if such products are moved to an establishment specifically approved for the purpose by the Director of Division for special processing at such establishment and are accompanied by a permit obtained by the owner or shipper from an inspector of the Division.

(2) The following swine products may be moved interstate under this part from a quarantined area under such conditions as may be prescribed by the Director of Division to prevent the spread of hog cholera and other contagious, infectious, or communicable diseases: (i) Swine products which have been processed in the course of normal establishment procedures in a manner approved by said Director as adequate to prevent the spread of hog cholera and other contagious, infectious, or communicable diseases; (ii) swine products derived from swine, permitted interstate movement under this part which were moved from a nonquarantined area directly to a clean stockyard in a quarantined area and which were slaughtered immediately upon their removal from such stockyard, at an establishment specifically approved for the purpose by said Director in a manner approved by said Director as adequate to prevent the spread of hog cholera and other contagious, infectious, or communicable diseases, and, if required by said Director, processed in a manner approved by him; (iii) swine products derived from swine, permitted interstate movement under this part, which were moved from a nonquarantined area directly to a slaughtering establishment in a quarantined area and there slaughtered immediately upon arrival, under conditions approved by said Director. The provisions of subparagraph (1) of this paragraph shall not be applicable to such movements.

(c) Swine and swine products in transit between points in nonquarantined areas through any quarantined area shall not be deemed to be moved from the quarantined area under this section.

§ 76.12 Movement of swine and swine products through a quarantined area.

Swine or swine products which are moved interstate in transit between points in non-quarantined areas through any quarantined area shall not be unloaded in any quarantined area unless all facilities to be used therein in connection with the unloading have been approved for such purpose by the Division and have been cleaned and disinfected before such use in a manner approved by the Division and under the supervision of a person authorized for the purpose by the Division.

§ 76.13 Movement of swine for slaughter and special processing.

Swine which have been exposed to hog cholera, or other contagious, infectious or communicable disease, may be moved interstate to an establishment for slaughter and special processing if moved under Division seals or accompanied by a representative of the Division or a person specifically authorized for the purpose by the Director of Division.

§ 76.14 Special processing of swine products.

All swine products required under the regulations in this part to be specially processed shall be heated to an internal temperature of at least 147° F. for 30 minutes or to an internal temperature of 156° F. momentarily.

§ 76.15 Movement of specially processed swine products.

Except as provided in §§ 76.11 and 76.17, swine products which have been specially processed may be moved interstate without restriction under this part.

§ 76.16 Approved stockyards and livestock markets.

(a) Notices containing lists of stockyards and livestock markets approved for the purposes of the regulations in this part will be published in the FEDERAL REGISTER. Information with respect to those stockyards and livestock markets may also be obtained from the Division.

(b) The Director of Division is hereby authorized to approve stockyards and livestock markets for the purpose of the regulations in this part when he determines that the inspection and handling of swine are adequate to effectuate the purposes of the regulations in this part; and to remove any stockyard or market from the approved list when he finds that the inspection or handling of swine at such stockyard or market is no longer adequate to effectuate the purposes of such regulations.

§ 76.17 Movement of swine fed raw garbage and products from swine fed raw garbage.

(a) *Movement of swine.* Swine which have been fed any raw garbage may be moved interstate under this part to a slaughtering establishment specifically approved for the purpose by the Director of Division for immediate slaughter and special processing at such establishment in a manner approved by the Director as adequate to prevent the spread of disease, if accompanied by a certificate of an inspector of the Agricultural Research Service, showing that the establishment to which the animals are consigned has been specifically approved by the Director, that the inspector has made an inspection of all swine on the premises of origin within 48 hours of the movement interstate, and that the inspection did not disclose any evidence of contagious, infectious, or communicable disease.

(b) *Movement of swine products.*

(1) Swine products produced at an establishment operating under the Meat Inspection Act of March 4, 1907, as amended (21 U.S.C. 71 et seq.), which handles products of swine fed any raw garbage, but specially processes all such products separate and apart from other swine products, keeps the products properly identified, and otherwise handles the products in a manner approved by the Director of Division as adequate to prevent the spread of disease, may be moved interstate without other restriction under this section.

(2) Swine products produced at an establishment operating under the Meat

Inspection Act of March 4, 1907, as amended, which handles any products of swine fed any raw garbage and does not handle all such products as specified in subparagraph (1) of this paragraph, may be moved interstate under this section if accompanied by a certificate signed by an inspector of the Agricultural Research Service (i) identifying the products to be moved interstate and stating that, insofar as he has been able to determine, the particular products were derived from swine which had not been fed any raw garbage, or (ii) identifying the products to be moved interstate and stating that the particular products have been handled as specified in subparagraph (1) of this paragraph.

§ 76.18 Other movements.

The Director of Division may authorize the interstate movement of swine or swine products, not otherwise authorized under this part, under such conditions as he may prescribe to prevent the spread of hog cholera or other contagious, infectious, or communicable diseases, if accompanied by a permit from the appropriate official of the State of destination and a certificate from the Animal Disease Eradication Division specifying any such conditions imposed regarding such movement.

CLEANING AND DISINFECTION OF VEHICLES AND FACILITIES

§ 76.30 Cleaning and disinfecting vehicles which have contained movements of diseased swine.

(a) Any railroad car, boat, truck, or other vehicle, and its equipment, which has contained an interstate movement of swine affected with a contagious, infectious, or communicable disease, shall be cleaned and disinfected under the supervision of a Federal or State inspector or an accredited veterinarian, in accordance with the provisions of this section, as soon as possible after the swine are unloaded and before further use.

(b) Any vehicle that has contained an interstate movement of swine destined to a place where Division inspection is maintained shall not be moved from such place until a Division inspector has ascertained the condition of the animals and the vehicle has been released or has been cleaned and disinfected in accordance with the provisions of this section.

(c) The carrier shall be responsible for having all railroad cars, boats, trucks, and other vehicles, and their equipment, cleaned and disinfected as required under this section, and the cleaning and disinfecting shall be done without expense to the Division.

(d) The following prescribed method of cleaning and disinfecting railroad cars, boats, trucks, and other vehicles and their equipment shall be used: Remove all litter, feed, and manure from all portions of each car, boat, truck, or other vehicle including all ledges and framework outside, and handle such litter, feed, and manure in such manner as not to expose livestock to any disease contained therein; clean the interior and the exterior of each such vehicle and its equipment; saturate the entire interior surface including all doors, endgates,

portable chutes, and similar equipment with disinfectants as prescribed in § 76.33.

§ 76.31 Cleaning and disinfecting other vehicles and facilities.

(a) Any railroad car, boat, truck, or other vehicle, and its equipment, and all other facilities, including facilities for receiving, shipping, loading, unloading, and delivering swine and for feeding, watering, and resting swine, which are used in connection with the interstate movement of swine shall be kept clean.

(b) The Director of Division may require the thorough cleaning and disinfecting, under the supervision of a Federal or State inspector or an accredited veterinarian in accordance with paragraph (d) of § 76.30 and paragraphs (c) and (d) of this section, of any vehicle or facility which has been used in connection with the interstate movement of any swine which have been fed any raw garbage or swine products derived from such swine, or swine exposed to hog cholera or other contagious, infectious, or communicable disease, or which the Director has reason to believe may have been infected with or exposed to such a disease, when he determines that such cleaning and disinfecting is necessary to guard against the spread of disease.

(c) The carrier shall be responsible for having all railroad cars, boats, trucks, and other vehicles, and their equipment, cleaned and disinfected as required under this section, and the owner of other facilities shall be responsible for having such facilities cleaned and disinfected as required under this section, and the cleaning and disinfecting shall be done without expense to the Division.

(d) The following prescribed method of cleaning and disinfecting of facilities shall be used: Empty all troughs, racks, and other feeding and watering appliances; remove all litter, feed, and manure from the floors, posts, or other parts, and handle such litter, feed, and manure in such manner as not to expose livestock to any disease contained therein; saturate the entire surface of the fencing, troughs, chutes, floors, walls, and all other parts with disinfectants as prescribed in § 76.33.

(e) Vehicles and equipment required to be cleaned and disinfected under this section shall be cleaned and disinfected in accordance with the method prescribed in § 76.30(d).

§ 76.32 Cleaning and disinfecting public stockyards, and approved stockyards and livestock markets.

(a) The Director of Division may require the thorough cleaning and disinfecting of any public stockyard, or any approved stockyard or livestock market, or any portion thereof, which has been used in the handling of swine which have been fed any raw garbage, or of swine infected with or exposed to hog cholera or other contagious, infectious, or communicable disease, or which the Director has reason to believe may have been so infected or exposed, when he determines that such cleaning and disinfecting are necessary to guard against the spread of disease. Any stockyard or market, or any portion thereof, so required to be

cleaned and disinfected shall not be used in handling swine until after the cleaning and disinfecting have been completed. Such cleaning and disinfecting shall be done without expense to the Division, except as provided under the provisions of Part 53 of this chapter.

(b) The following prescribed method of cleaning and disinfecting shall be used: Empty all troughs, racks, and other feeding and watering appliances; remove all litter, feed, and manure from the floors, posts, and other parts, and handle such litter, feed, and manure in such manner as not to expose livestock to any disease contained therein; and saturate the entire surface of the fences, troughs, chutes, floors, walls, and all other parts with one of the disinfectants prescribed in § 76.33.

§ 76.33 Disinfectants to be used.

The disinfections required under the regulations in this part shall be performed with one of the following:

(a) Lye (sodium hydroxide) used at the rate of 16 ounces to four gallons of water. (Due to the extreme caustic nature of sodium hydroxide solution, precautionary measures such as the wearing of rubber gloves and boots to protect the hands and feet, and goggles to protect the eyes, should be taken by those engaged on the disinfection job. It is also advisable to have an acid solution, such as vinegar, in readiness in case any of the sodium hydroxide solution should come in contact with any part of the body.)

(b) A permitted brand of sodium orthophenylphenate used in a proportion of at least one pound to 12 gallons of water. (It is absolutely necessary that the solution be applied at a temperature of 60° F. or over. Whenever the temperature of the building to be disinfected is below 60° F., as indicated by a wall thermometer, the solution shall be heated to 120° F. and higher in very cold weather, to insure effective disinfection.)⁴

(c) Permitted cresylic disinfectant in the proportion of at least 4 fluid ounces to 1 gallon of water, as prescribed under §§ 71.10(b) and 71.11 of this chapter.

The foregoing amendment makes certain changes in the proposed amendments to 9 CFR Part 76, published in the FEDERAL REGISTER on March 7, and May 10, 1962, and also makes certain changes in the regulations in addition to those proposed in such notices. Such changes have been made after thorough consideration of all relevant material submitted in connection with the notices. Some of such changes have been made for purposes of clarity and consistency. Certain changes make provisions of the regulations less restrictive, and certain other changes have been made in order to afford additional protection to the livestock of the United States. It does not appear that further public rule-making procedure would make additional information available to the Department in connection with the amendment of the regulations. Accordingly,

⁴Lye has an inhibiting effect on sodium orthophenylphenate and these should not be used in combination or sequence.

under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that further notice and public procedure with respect to the foregoing amendment are impracticable and unnecessary.

Effective date. This amendment shall become effective on November 5, 1962.

Done at Washington, D.C., this 31st day of August 1962.

M. R. CLARKSON,
Acting Administrator.

[F.R. Doc. 62-8975; Filed, Sept. 6, 1962;
8:55 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1375, Amdt. 481]

PART 507—AIRWORTHINESS DIRECTIVES

General Electric Models CJ805-23, CJ805-23B, and CJ805-23C Engines

Amendment 437, 27 F.R. 4552 (AD 62-11-2), requires removal of the fan buckets of General Electric Model CJ805 Series turbofan engines. Since the issuance of the AD, the manufacturer has made changes in the buckets and identified them by a new part number. As the possibility of low cycle fatigue failures is equally present in the modified buckets as in the original buckets, the provisions of Amendment 437 are therefore being applied to the modified buckets.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended as follows:

Amendment 437, 27 F.R. 4552, General Electric Model CJ805-23 Series turbofan engines, is amended by changing the first sentence of the first paragraph to read: "To preclude low cycle fatigue failure of the fan buckets, remove GE P/N's 109R164P1, 107R392P1, 107R362P5, 107R362P6, 109R200P1, or 109R197P1 from engines * * *"

This amendment shall become effective September 7, 1962.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on August 30, 1962.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 62-8923; Filed, Sept. 6, 1962;
8:45 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 204—RESERVES OF MEMBER BANKS

Kansas City, Kansas; Termination of Designation as Reserve City

1. Effective immediately, Part 204 is amended by adding thereto § 204.55 reading as follows:

§ 204.55 Termination of Kansas City, Kansas designation as reserve city.

In accordance with paragraph (e) of § 204.51, as revised effective July 28, 1962, member banks in Kansas City, Kansas, have submitted written requests for the termination of the designation of such city as a reserve city, and, acting pursuant to such paragraph (e) of § 204.51, the Board of Governors has granted such request. Accordingly, the designation of Kansas City, Kansas, as a reserve city is hereby terminated effective September 6, 1962.

2. The notice and public procedure described in sections 4(a) and 4(b) of the Administrative Procedure Act and the prior publication described in section 4(c) of such Act are impracticable, unnecessary and contrary to the public interest in connection with this action for the reasons and good cause found as stated in § 262.1(e) of the Board's rules of procedure (12 CFR Part 262) and especially because such notice, procedure and prior publication would serve no useful purpose.

(Sec. 11, 38 Stat. 261 as amended; 12 U.S.C. 248. Interprets or applies sec. 19, 38 Stat. 270, as amended; sec. 19, 48 Stat. 54, as amended; 12 U.S.C. 461, 462, 462b, 464, 465)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,

[SEAL] KENNETH A. KENYON,
Assistant Secretary.

[F.R. Doc. 62-8933; Filed, Sept. 6, 1962;
8:46 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket C-198]

PART 13—PROHIBITED TRADE PRACTICES

Barclay Distributors

Subpart—Advertising falsely or misleadingly: § 13.70 *Fictitious or misleading guarantees*; § 13.155 *Prices*; § 13.155-40 *Exaggerated as regular and customary*; § 13.155-70 *Percentage savings*; § 13.155-80 *Retail as cost, wholesale, discounted, etc.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Sylvia Abrams trading as Barclay Distributors, New York, N.Y., Docket C-198, July 26, 1962]

In the Matter of Sylvia Abrams an Individual Trading as Barclay Distributors

Consent order requiring a New York City distributor of men's wallets, calendar banks, self-illuminating power magnifiers, travel irons and immersion heaters, and other merchandise, to cease making such false price and savings claims and misleading guarantees as those she made in newspaper advertising and catalogs.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That respondent, Sylvia Abrams, trading and doing business as Barclay Distributors, or under any other name or names, and her agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of men's wallets, calendar banks, self-illuminating magnifiers, travel irons, travel immersion heater kits, wrist watches, cigarette lighters and any other articles of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) Any amount is the usual and customary retail price of respondent's merchandise when it is in excess of the price at which said merchandise is usually and customarily sold at retail by respondent.

(b) Any saving is afforded in the purchase of merchandise from respondent's retail price unless the price at which it is offered is lower than the price at which said merchandise is usually and customarily sold at retail by the respondent.

2. Misrepresenting, in any manner, the savings available to purchasers of respondent's merchandise or the amount by which the price of said merchandise has been reduced from the price at which it is customarily sold by respondent in the usual course of business.

3. Using the word "wholesale" or any other word or term of similar import or meaning, in connection with the direct or indirect solicitation of sales to individual members of the public or other consumers, to describe a price which is higher than the generally prevailing price at which the merchandise is sold by wholesalers to retailers in the trade area or areas where the representation is made.

4. Representing, directly or by implication, that Sovereign watches are manufactured and guaranteed by the Bearus Watch Company, or in any other manner misrepresenting, directly or by implication, the identity of the manufacturer or the guarantor of any of the respondent's merchandise.

5. Representing, directly or by implication, that any of respondent's products are guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon her of this order,

file with the Commission a report in writing setting forth in detail the manner and form in which she has complied with this order.

Issued: July 26, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8937; Filed, Sept. 6, 1962;
8:47 a.m.]

[Docket C-185]

PART 13—PROHIBITED TRADE PRACTICES

Cincinnati Food Service & Appliance Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*; § 13.15-195 *Nature*; § 13.70 *Fictitious or misleading guarantees*; § 13.75 *Free goods or services*; § 13.155 *Prices*; § 13.155-75 *Product or quantity covered*; § 13.155-100 *Usual as reduced, special, etc.*; § 13.260 *Terms and conditions*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Alpin, Inc. doing business as Cincinnati Food Service & Appliance Company, et al., Cincinnati, Ohio, Docket C-185, July 18, 1962]

In the Matter of Alpin, Inc., a Corporation Trading and Doing Business as Cincinnati Food Service & Appliance Company and Milton Pinsky and Daniel J. Allen, Individually and as Officers of Said Corporation

Consent order requiring Cincinnati sellers of freezers and food freezer plans to the public to cease using false pricing, savings, and guarantee claims and other misrepresentations in advertising, including radio and television broadcasts, to sell their freezers and freezer food plans, as in the order below more fully set out.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

PART I

It is ordered, That respondents Alpin, Inc., a corporation, and its officers, and Milton Pinsky and Daniel J. Allen, individually and as officers of said corporation, and respondents' agents, representatives and employees directly or through any corporate or other device in connection with the offering for sale, sale or distribution of freezers, food or freezer-food plans, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication:

- (a) That respondents' principal business is the sale of food;
- (b) That purchasers of a freezer food plan from respondents will for any stated price receive all of their food or any amount of food in excess of the amount actually received and a freezer;

(c) That by purchasing a freezer food plan from respondents purchasers are thereby able to purchase food for less money than they would otherwise have to pay;

(d) That purchasers of a freezer food plan from respondents save from \$200.00 to \$300.00 a year on their food purchases, or will save any other stated or specified amount of money;

(e) That respondents give away free gifts;

(f) That purchasers of a freezer food plan from respondents are required to pay no money for any stated period of time;

(g) That a customary or usual price is a reduced price;

(h) That any freezer or part thereof is unconditionally guaranteed or is guaranteed in any manner unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

2. Misrepresenting in any manner the savings realized by purchasers of a freezer food plan.

3. Misrepresenting in any manner the purchase price of any such freezer, food, or freezer food plan.

PART II

It is further ordered, That respondents Alpin, Inc., a corporation, and its officers, and Milton Pinsky and Daniel J. Allen, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of any food or any purchasing plan involving food, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations or misrepresentations prohibited in paragraphs 1, 2, and 3 of Part I of this order.

2. Disseminating or causing the dissemination of any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of any food, or any purchasing plan involving food in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations or misrepresentations prohibited in paragraphs 1, 2, and 3 of Part I of this order.

It is further ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 18, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8944; Filed, Sept. 6, 1962;
8:50 a.m.]

[Docket C-195]

PART 13—PROHIBITED TRADE PRACTICES

Colt Fashions, Inc., et al.

Subpart—Furnishing false guaranties: § 13.1053 *Furnishing false guaranties*; § 13.1053-35 *Fur Products Labeling Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Compositions*; § 13.1845-30 *Fur Products Labeling Act*; § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852-35 *Fur Products Labeling Act*; § 13.1865 *Manufacture or preparation*; § 13.1865-40 *Fur Products Labeling Act*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Colt Fashions, Inc., et al., New York, N.Y., Docket C-195, July 24, 1962]

In the Matter of Colt Fashions, Inc., a New York Corporation, and Isadore Greenberg and Myron Greenberg, Individually and as Officers of Said Corporation

Consent order requiring manufacturing furriers in New York City to cease violating the Fur Products Labeling Act by failing to show on labels and invoices the true animal name of furs used in fur products and when fur was artificially colored, failing to use the term "natural" where required and to comply with other requirements of the Act, and furnishing false guaranties with respect to certain fur products.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Colt Fashions, Inc., a corporation, and its officers, and Isadore Greenberg and Myron Greenberg, individually and as officers of said corporation and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction, into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the manufacture for sale, sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Misbranding fur products by:

A. Failing to affix labels to fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Failing to disclose that fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored are natural.

C. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and

regulations promulgated thereunder in the sequence required by Rule 30 of the aforesaid rules and regulations.

D. Failing to set forth on labels the item number or mark assigned to a fur product.

2. Falsely or deceptively invoicing fur products by:

A. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

B. Failing to disclose that fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored are natural.

C. Failing to set forth the item number or mark assigned to a fur product.

3. Furnishing false guaranties that fur products are not misbranded, falsely advertised or falsely invoiced under the provisions of the Fur Products Labeling Act, when there is reason to believe that the fur products falsely guaranteed may be introduced, sold, transported or distributed in commerce.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 24, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8936; Filed, Sept. 6, 1962;
8:47 a.m.]

[Docket C-196]

PART 13—PROHIBITED TRADE PRACTICES

Custom Builders et al.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: § 13.155-10 Bait.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Aluminum Enterprises, Inc., doing business as Custom Builders et al., Colmar Manor, Md., Docket C-196, July 24, 1962]

In the Matter of Aluminum Enterprises, Inc., a Corporation, Doing Business as Custom Builders, and Abraham Comberg, Individually and as an Officer of Said Corporation

Consent order requiring Colmar Manor, Md., sellers of aluminum windows and doors and other home improvements, to cease using bait advertisements in newspapers to sell their products, which were not bona fide offers to sell at the advertised prices but were made to obtain leads to prospects.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Aluminum Enterprises, Inc., a corporation, and its officers, and Abraham Comberg, individually and as an officer of said

corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of aluminum storm windows or doors, or products or services in connection with the improvement, repair or remodeling of homes or other buildings, do forthwith cease and desist from representing directly or indirectly that such windows, doors, products or services are offered for sale when such offer is not a bona fide offer to sell said products or services.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 24, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8934; Filed, Sept. 6, 1962;
8:47 a.m.]

[Docket C-171]

PART 13—PROHIBITED TRADE PRACTICES

Fine Quilting Corp. et al.

Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: § 13.1108-90 Wool Products Labeling Act. Subpart—Misrepresenting oneself and goods—Goods: § 13.1590 Composition: § 13.1590-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: § 13.1845-80 Wool Products Labeling Act: § 13.1852 Formal regulatory and statutory requirements: § 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Fine Quilting Corp. et al., Bronx, N.Y., Docket C-171, July 13, 1962]

In the Matter of Fine Quilting Corp., a Corporation, and Lazar Deutsch, and Samuel Mandel, Individually and as Officers of Said Corporation

Consent order requiring manufacturers of quilted interlining materials in Bronx, N.Y., to cease violating the Wool Products Labeling Act by failing to show on labels on such materials the true generic names of the constituent fibers and the percentage thereof, and failing in other respects to comply with labeling requirements; and to cease such unfair practices as stating on invoices and shipping memoranda that certain quilted interlining materials sold to their jobber and manufacturer customers were "Not less than 50 percent Rep. wool, 50 percent Unknown fiber" when the fabrics contained substantially different fibers and in different quantities than so represented.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Fine Quilting Corp., a corporation, and its officers, and Lazar Deutsch and Samuel Mandel, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction, into commerce, or the offering for sale, sale, transportation, delivery for shipment, or distribution, in commerce, of quilted interlining materials or other wool products, as "commerce" and "wool product", are defined in the Wool Products Labeling Act of 1939 do forthwith cease and desist from misbranding wool products by:

1. Failing to securely affix to or place on each such product, a stamp, tag, label or other means of identification showing in a clear and conspicuous manner, each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

2. Setting forth the required information descriptive of the fiber content on labels in abbreviated words or terms.

It is further ordered, That respondents Fine Quilting Corp., a corporation, and its officers, and Lazar Deutsch and Samuel Mandel, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of quilted interlining materials or other fiber products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of constituent fibers contained in such products on invoices or shipping memoranda applicable thereto, or in any other manner.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 13, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8945; Filed, Sept. 6, 1962;
8:50 a.m.]

[Docket 7773 o.]

PART 13—PROHIBITED TRADE PRACTICES

Giant Food, Inc.

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: § 13.155-15 Comparative; § 13.155-60 List or catalog as regular selling.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Giant Food, Inc., Landover, Md., Docket 7773, July 31, 1962]

Order requiring a large chain store distributor of food and other merchan-

dise, with more than 50 retail outlets in Maryland, Virginia, and the District of Columbia, to cease representing falsely in advertising, by means of comparative price claims—such as setting forth a higher "Reg. Price" or "Mfr." or "Mfg. List" price together with a lower offered price—that the higher amounts were the usual retail prices in the trade area and that customers buying at the lower amounts were afforded savings in the amount of the difference between the two.

The order to cease and desist, together with further order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Giant Food, Inc., a Delaware corporation, and its officers, directors, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of household electrical appliances, kitchen utensils, or any other merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Using the words "regular price," or words of similar import, to refer to any amount which is in excess of the price at which such merchandise has been usually and regularly sold by the respondent at retail in the recent, regular course of its business; or otherwise misrepresenting the respondent's usual and customary retail selling price of such merchandise;

(2) Using the words "manufacturer's list price," "suggested list price," "factory suggested retail price," or words of similar import, to refer to any amount which is in excess of the price or prices at which such merchandise is usually and customarily sold in the trade area where the representation is made; or otherwise misrepresenting the usual and customary retail selling price or prices of such merchandise in the trade area;

(3) Representing in any manner that, by purchasing any of its merchandise, customers are afforded savings amounting to the difference between respondent's stated selling price and any other price used for comparison with that selling price, unless the comparative price used represents the price at which the merchandise is usually and customarily sold at retail in the trade area involved, or is the price at which such merchandise has been usually and regularly sold by respondent at retail in the recent, regular course of its business.

It is further ordered, That respondent Giant Food, Inc., shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: June 13, 1962.

By the Commission, Commissioners Anderson and Kern concurring in the result.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8938; Filed, Sept. 6, 1962; 8:48 a.m.]

[Docket C-188]

PART 13—PROHIBITED TRADE PRACTICES

Giant Plastics Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.235 *Source or origin*: § 13.235-60 *Place*: § 13.235-60(e) *Imported products or parts as domestic*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1900 *Source or origin*: § 13.1900-35 *Foreign product as domestic*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Giant Plastics Corp. et al., New York, N.Y., Docket C-188, July 20, 1962]

In the Matter of Giant Plastics Corporation, a Corporation, and Herbert J. Rosenberg, Harold Rosenberg, and Celia Rosenberg, Individually and as Officers of Said Corporation

Consent order requiring Bronx, N.Y., distributors of toys, novelties, and jewelry, much of it imported from Hong Kong and Japan, to jobbers and retailers to cease selling such merchandise so packaged—commonly on a printed cardboard mount secured by clear plastic-like material—that any identification of foreign origin is not visible except by destroying the so-called "bubble pack"; to cease representing such foreign-made articles falsely as of domestic origin by their practice of stating on some of the packages "Made in U.S.A." and on all of them "Giant Plastics Corp., New York, N.Y."; and requiring them to clearly and conspicuously disclose the foreign source of such display material.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Giant Plastics Corporation, a corporation, and its officers, and Herbert J. Rosenberg, Harold Rosenberg, and Celia Rosenberg, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of children's toys, novelties, and jewelry, and any other imported products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or indirectly, in advertising or in labeling that products manufactured in Hong Kong, Japan, or any other foreign country are manufactured in the United States.

2. Offering for sale, selling, or distributing any such product which is packaged, or placed in a container, or mounted on or affixed to a card or other device, in such a manner as to conceal the country or place of origin, unless the country or place of origin is clearly and conspicuously disclosed on the package, container, card or other device.

3. Offering for sale, selling, or distributing any such product in such a manner that the country or place of origin of the product cannot be readily seen by prospective purchasers.

4. Disseminating or causing to be disseminated any display or point of sale material with respect to any such product which fails to clearly and conspicuously disclose the country or place of origin of the product.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 20, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8940; Filed, Sept. 6, 1962; 8:48 a.m.]

[Docket C-186]

PART 13—PROHIBITED TRADE PRACTICES

House of Good Foods, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.70 *Fictitious or misleading guarantees*; § 13.71 *Financing*; § 13.75 *Free goods or services*; § 13.155 *Prices*; § 13.155-5 *Additional charges unmentioned*; § 13.155-80 *Retail as cost, wholesale, discounted, etc.*; § 13.225 *Services*; § 13.260 *Terms and conditions*. Subpart—Securing signatures wrongfully: § 13.2175 *Securing signatures wrongfully*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, House of Good Foods, Inc. (Pennsauken, N.J.), et al., Docket C-186, July 18, 1962]

In the Matter of House of Good Foods, Inc., a Corporation, House of Good Foods of Pennsylvania, Inc., a Corporation, and Morris J. Salis, Individually and as an Officer of Said Corporations

Consent order requiring two affiliated sellers of freezers and foods by means of a "freezer food plan", located in Pennsauken, N.J., and Philadelphia, Pa., to cease making false claims in advertising in newspapers, circulars, by radio broadcasts, etc., to sell their products, as set out in the order below.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

PART I

It is ordered, That respondents House of Good Foods, Inc., a corporation, House of Good Foods of Pennsylvania, Inc., a corporation, and their officers and Morris J. Salis, individually and as an officer of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution of freezers, food or a freezer food plan in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that:

(a) Such products or any parts thereof are guaranteed in any manner unless the nature and extent of the guarantee

and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed in immediate conjunction with any such representation;

(b) "Home Economists", trained food consultants or other qualified individuals will assist purchasers of the aforesaid freezer food plan in planning their food orders;

(c) Purchasers receive a free life insurance policy;

(d) Purchasers of a freezer food plan will receive the same or any amount of food, and a freezer for the same or less money than they have been paying for the food alone;

(e) Purchasers of their freezer food plan can save enough money on the purchase of their food to pay for the freezer;

(f) Purchasers of a freezer food plan will have their contracts financed through banks unless such contracts are in fact financed through banks;

(g) Certain charges constitute the total amount purchasers are required to pay when such amount is not the total amount purchasers are required to pay;

(h) Certain items constitute the total security required under a contract when in fact other security is required;

(i) Purchasers of the aforesaid freezer food plan can purchase their note in advance at a reduction in price;

(j) Respondents will erect shelves or other facilities for storing food;

(k) The freezer or food are fully insured or fully or unconditionally guaranteed under the contract.

(1) Respondents sell food at wholesale prices.

2. Obtaining purchasers' signatures on sales contracts, negotiable or non-negotiable notes or other instruments or mortgage agreements or any other type of agreements unless said contracts, notes or agreements contain at that time all of the terms and conditions of said contracts, notes or agreements and unless such purchasers are fully apprised of the nature and contents of the contracts, notes or agreements.

3. Misrepresenting in any manner the extent to which respondents' prices are reduced prices or the savings realized by purchasers of a freezer food plan.

PART II

It is further ordered, That respondents House of Good Foods, Inc., a corporation, House of Good Foods of Pennsylvania, Inc., a corporation, and their officers and Morris J. Salis, individually and as an officer of said corporations and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of any food or any purchasing plan involving food, do forthwith cease and desist from:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations or misrepresentations prohibited in paragraphs 1 and 3 of Part I of this order.

2. Disseminating or causing the dissemination of any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly the purchase of any food, or any purchasing plan involving food in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations or misrepresentations prohibited in paragraphs 1 and 3 of Part I of this order.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 18, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8946; Filed, Sept. 6, 1962;
8:50 a.m.]

[Docket 8140 o.]

PART 13—PROHIBITED TRADE PRACTICES

Leeds Travelwear, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices: § 13.155-40 Exaggerated as regular and customary.*

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055-50 Preticketing merchandise misleadingly.* Subpart—Misrepresenting oneself and goods—*Prices: § 13.1811 Fictitious preticketing.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Leeds Travelwear, Inc., et al., New York, N.Y., Docket 8140, July 20, 1962]

In the Matter of Leeds Travelwear, Inc., a Corporation, and Irving L. Braverman, Individually and as an Officer of Said Corporation

Order requiring a New York City distributor of luggage and golf and bowling bags to cease deceptively pricing its products, by such practices as showing on price tickets on its "regular" line of golf bags sold in department and specialty stores and in catalog sheets furnished to catalog house customers listing luggage and golf and bowling bags which carried a "Retail" price and a substantially lower "coded" price at which the product was sold, higher prices than the generally prevailing retail prices for the articles in the trade areas concerned.

The order to cease and desist, as modified by the Commission, is as follows:

It is ordered, That Leeds Travelwear, Inc., a corporation, and Irving L. Braverman, individually, and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of

luggage, golf bags, bowling bags, or any other product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. The act or practice of preticketing merchandise at an indicated retail price when the indicated retail price is in excess of the generally prevailing retail price for such merchandise in the trade area or when there is no generally prevailing retail price for such merchandise in the trade area.

2. Supplying to, or placing in the hands of, any distributor, dealer or other purchaser, catalog sheets or other materials which are displayed to the purchasing public and which contain an indicated retail price for respondents' merchandise when the indicated retail price is in excess of the generally prevailing retail price for such merchandise in the trade area or when there is no generally prevailing retail price for such merchandise in the trade area.

3. Furnishing to others any means or instrumentality by or through which the public may be misled as to the generally prevailing retail prices of respondents' merchandise.

4. Putting into operation any plan through the use of which retailers or others may misrepresent the generally prevailing retail price of respondents' merchandise.

By "Final Order", report of compliance was required as follows:

It is further ordered, That respondents, Leeds Travelwear, Inc., and Irving L. Braverman, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained herein.

Issued: July 20, 1962.

By the Commission:

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8947; Filed, Sept. 6, 1962;
8:51 a.m.]

[Docket C-199]

PART 13—PROHIBITED TRADE PRACTICES

Remco Industries, Inc.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Remco Industries, Inc., Newark, N.J., Docket C-199, July 26, 1962]

Consent order requiring a Newark, N.J., distributor to cease misrepresenting the toys it sold by such practices as representing falsely in television commercials that a transistor radio could be constructed from the components contained in its "Radiocraft Kit" and radio broadcasts transmitted, and that its "Electro Chemistry Science Kit" contained a battery and a glass beaker.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That respondent Remco Industries, Inc., a corporation, and its officers, and respondent's agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of toys or related products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, by use of any illustration, depiction or demonstration, alone or accompanied by oral or written statements, purporting to illustrate, depict or demonstrate any toy or related product, or the performance thereof, or representing in any other manner, directly or by implication, that any toy or related product contains a component or performs in any manner not in accordance with fact.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: July 26, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8935; Filed, Sept. 6, 1962;
8:47 a.m.]

[Docket C-172]

PART 13—PROHIBITED TRADE PRACTICES

U.S. Rubber Co.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices*: § 13.155-40 *Exaggerated as regular and customary*. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, United States Rubber Company, New York, N.Y., Docket C-172, July 13, 1962]

Consent order requiring a manufacturer of motor vehicle tires to cease making deceptive pricing and savings claims for its tires, batteries, and accessories by such practices as publishing in newspaper advertising a higher and fictitious "Mfr's list price", followed by a lower "sale prices" and representing falsely that the difference constituted savings from usual prices, and furnishing its dealers and retail outlets with advertising mats and price lists containing similar statements.

The order to cease and desist, including order requiring report of compliance therewith, is as follows:

It is ordered, That respondent United States Rubber Company, a corporation, and its officers, and respondent's agents,

representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of tires, batteries and accessories, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) Any amount is the usual and customary price of merchandise in any trade area when it is in excess of the generally prevailing price or prices at which said merchandise is sold in said trade area.

(b) Any saving from a trade area price or from the customary and usual price of the advertiser is afforded in the purchase of respondent's merchandise unless the price at which such merchandise is offered constitutes a reduction from the generally prevailing price or prices at which said merchandise is sold in the trading area in which the representation is made or the price at which it is customarily and usually sold by the advertiser.

2. Misrepresenting in any manner the savings available to purchasers of respondent's merchandise or the amount by which the price of merchandise has been reduced from the price at which it is customarily sold by respondent or its competitors in the usual course of business in the trade area or areas where the representations are made.

3. Using the words or terms "Mfr's list price", or any other words or terms of similar import, to refer to prices of merchandise unless such amounts are the prices at which the merchandise is usually and customarily sold in the trade area in which such representations are made.

4. Placing in the hands of distributors, retailers or others advertising material or other printed matter representing in any manner that any amount is the usual and customary retail price of merchandise when it is in excess of the price at which the merchandise is usually and customarily sold at retail in the trade area or areas where the advertising material or printed matter is displayed or otherwise used.

It is further ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

Issued: July 13, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8939; Filed, Sept. 6, 1962;
8:48 a.m.]

[Docket C-192]

PART 13—PROHIBITED TRADE PRACTICES

Western Flavor Seal Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.170 *Qualities or properties of product or service*: § 13.170-52 *Medici-*

nal, therapeutic, healthful, etc.: § 13.170-70 *Preventive or protective*. Subpart—Disparaging competitors and their products—Competitors' Products: § 13.1025 *Safety*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Western Flavor Seal Company et al., Omaha, Nebr., Docket C-192, July 24, 1962]

In the Matter of Western Flavor Seal Company, a Corporation, and Robert T. Caldwell and Jeannette Caldwell, Individually and as Officers of Said Corporation

Consent order requiring Omaha sellers of stainless steel cooking utensils to the public, chiefly through demonstrations by salesmen before groups of prospects, to cease representing falsely through statements by such sales persons and in pamphlets and brochures that cooking foods in their stainless steel utensils was more conducive to health and would retain more vitamins, minerals, and other nutrients than cooking in other materials and would prevent disease; that cooking in utensils of other materials was injurious to health; and that soap and water was all that was required to keep their stainless steelware sterile.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That the respondents Western Flavor Seal Company, a corporation, and its officers, and Robert T. Caldwell and Jeannette Caldwell, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of cooking utensils made of stainless steel or of any other product of substantially similar composition, design, construction or purpose, do forthwith cease and desist from representing, directly or by implication, that:

1. The use of respondents' stainless steel cooking utensils is more conducive to health than the use of cooking utensils manufactured from materials other than stainless steel.

2. The use of cooking utensils manufactured from materials other than stainless steel is injurious to health.

3. Food cooked in respondents' stainless steel cooking utensils retains more vitamins, minerals or other nutrients than food cooked by the same method in cooking utensils manufactured from materials other than stainless steel.

4. The use of respondents' stainless steel cooking utensils will prevent disease or illness.

5. Respondents' stainless steel cooking ware can be rendered sterile merely by the application of soap and water.

6. Potatoes or any other foods cooked in respondents' stainless steel utensils are less fattening than potatoes or any other foods cooked in utensils manufactured from materials other than stainless steel.

It is further ordered, That the respondents herein shall, within sixty (60)

days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: July 24, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-8948; Filed, Sept. 6, 1962;
8:51 a.m.]

Title 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Statement of General Policy 61-1; Amdt. 5]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Area Price Levels for Natural Gas Sales by Independent Producers

AUGUST 30, 1962.

The Commission's Statement of General Policy No. 61-1 issued September 28, 1960, announced a price level of 18 cents per Mcf for initial sales in Texas District No. 4 (at 14.65 p.s.i.a.). The Statement of Policy specified that the price levels announced therein were to be "adjusted from time to time as such facts as may come before us compel such adjustments." The price level previously announced for Southern Louisiana was in fact adjusted by the Fourth Amendment to the Statement of General Policy on October 31, 1961.

The Commission in its opinion in the Skelly case issued this date has had occasion to re-examine the question of the in-line price in Texas District No. 4 immediately prior to September 28, 1960, in light of the subsequent court decisions dealing with the initial pricing question in producer certificate cases.

We have also reviewed the sales in District No. 4 subsequent to September 28, 1960. We have carefully re-examined the appropriate level of initial ceilings in this district in light of present conditions in the area giving due consideration to the applicable court decisions and the factors set forth in our original statement of policy.¹

Just as was the case in our revision of the ceiling price in South Louisiana, our guiding purpose here is to arrive at a revised price which will enable the Commission to hold the line on new sales in this area at a level consistent with the public interest and, at the same time, to enable producers to obtain authorizations which provide them a reasonable basis for proceeding with their operations and furnishing needed sup-

¹ We there stated that these "included cost information from all decided and pending cases, existing and historical price structures, volumes of production, trends in production, price trends in the various areas over a number of years, trends in exploration and development, trends in demands, and the available markets for the gas."

plies of gas. We conclude that, effective this date, the ceiling price level for initial sales in Texas District No. 4, inclusive of state taxes, shall be 16 cents per Mcf (at 14.65 p.s.i.a.).

By the Commission. Commissioners Morgan and Ross dissenting and filed separate statements.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-8925; Filed, Sept. 6, 1962;
8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Adminis- tration, Department of Health, Edu- cation, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[Docket No. FDC-64]

PART 37—FISH; DEFINITIONS AND STANDARDS OF IDENTITY; STAND- ARDS OF FILL OF CONTAINER

Findings of Fact and Order Ruling on Objections to Standard of Identity for Canned Tuna

In the matter of establishing a definition and standard of identity for canned tuna fish:

In the FEDERAL REGISTER of August 28, 1956 (21 F.R. 6492), there was published a notice of a proposal to establish a definition and standard of identity and a standard of fill of container for canned tuna fish. An order was published February 13, 1957 (22 F.R. 892), adopting the proposals, with modifications. Subsequently, objections were filed, and a public hearing was requested on two of the labeling requirements in the identity standard: (1) The requirement that tuna darker than a prescribed level be labeled "dark"; and (2) the requirement that for water-pack tuna the name on the label should include the words "in water". By an order published in the FEDERAL REGISTER of August 29, 1957 (22 F.R. 6961), notice was given that no objections had been filed to the fill of container standard or to the compositional requirements of the identity standard, and the effective date for these provisions, as set out in the order of February 13, 1957 (22 F.R. 892), was confirmed. In recognition of the objections to the labeling requirements of the identity standard, these requirements were stayed pending the outcome of the hearing on the issues raised by the objections (23 F.R. 245).

Pursuant to a notice of hearing published in the FEDERAL REGISTER (22 F.R. 10964), a public hearing was held to receive evidence on the issues raised by the objectors. Thereafter a tentative order including proposed findings of fact was published March 31, 1961 (26 F.R. 2723). Exceptions to this tentative order were filed in behalf of distributors of water-pack tuna imported from Japan. These exceptions challenged the conclusion that the objectors had failed to prove that the interests of consumers would be promoted by rescinding the pro-

vision requiring that the words "in water" be included in the name on labels of water-pack tuna. The record has been restudied, in the light of the exceptions, and findings concerning the objectors' claim that consumers usually discard the oil from oil-pack tuna have been revised. However, these revisions do not alter the ultimate conclusion that consumer interests would not be served by rescinding the requirement for including the words "in water" in the name on labels of water-pack canned tuna.

On the basis of the evidence received at the hearing, and pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701(e)(3), 52 Stat. 1046, 1055 as amended 70 Stat. 919; 21 U.S.C. 341, 371(e)(3)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), and after consideration of the exceptions filed, which are adopted in part and rejected in part as is apparent from the detailed findings herein made; *It is ordered:*

A. That the findings of fact in the above-identified matter be established as follows:

*Findings of fact.*¹ 1. By an order published in the FEDERAL REGISTER of February 13, 1957 (22 F.R. 892), a definition and standard of identity for canned tuna fish was promulgated. Objections were filed protesting those portions of the order requiring that tuna darker in color than Munsell value 5.3 be declared on the label as "dark tuna" and that the name on the label of canned tuna packed in water rather than in oil include the words "in water" as a part of the name of the food. Notices of the objections, the stay of the labeling requirements, and the announcement of the public hearing on the objections were published in the FEDERAL REGISTER on August 29, 1957 (22 F.R. 6961), and December 28, 1957 (22 F.R. 10964). (Ex. 2, 4, 5, 7, 23)

2. The only issue concerning the color of canned tuna to be determined on the basis of the evidence was raised in the objection filed by one packer, the operator of a cannery in Maine, who advocated changing the wording of § 37.1(d)(3) of the standard from:

(3) *Dark.* This color designation includes all tuna darker than Munsell value 5.3, to

(3) *Tuna.* This designation includes all tuna darker than Munsell value 5.3 canned from the light meat of tuna.

The objection did not make an issue of whether the method specified in the order was appropriate for making the differentiation between dark and light tuna; of whether the value for such differentiation was properly set at 5.3 on the Munsell scale; or of whether the standard should require the label designation for tuna darker than Munsell value 5.3 to be different from the label designation for tuna lighter than Munsell value 5.3. The sole issue was whether the standard should require

¹ The citations following each finding of fact refer to the pages of the transcript of testimony and the exhibits received in evidence at the hearing.

cans containing tuna darker than Munsell value 5.3 to be labeled "dark tuna" rather than simply "tuna." (R. 9, 11-12, 14, 17, 38, 47, 54-55; Ex. 7)

3. The only witness who supported the objection to the label declaration "dark tuna" sometimes employed the phrase "light meat of tuna" to mean striated muscular tissue, as specified in § 37.1(c) of the standard, without regard to the color shade of such tissue. At other times, when referring to this same striated muscular tissue (as prepared from large blue-fin tuna and from Atlantic little tunny), the witness used the term "dark meat." Apparently, it was for this dark-colored striated muscular tissue that he urged the change of the standard to provide for labeling it by the unmodified word "tuna" though he sometimes used the designation "dark meat" or "black meat" to mean non-striated tissue, which is an entirely different part of the fish and which the standard requires to be eliminated before canning. (R. 18, 33-34, 37, 43, 50, 66)

4. Several kinds of tuna have been caught in the Atlantic waters, but the only color determinations reported in the record are for the categories little tunny; large blue-fin tuna, exceeding 500 pounds in weight; and blue-fin tuna ranging in weight from 20 pounds to 104 pounds. These color determinations showed that little tunny and the large blue-fin tuna yield canned tuna of color darker than Munsell 5.3. The canned tuna prepared from the smaller blue-fin tuna (those not exceeding 104 pounds in weight) measured lighter than Munsell 5.3. (R. 10, 18, 29-30, 54, 58, 60, 74, 76; Ex. 8)

5. The canned article prepared from large blue-fin tuna, where the fish weighed in excess of 500 pounds each, not only was of a dark color but it was coarse in texture and had a distinctive taste, described as stronger, heartier, and more fishy. The opinion was expressed that this darker colored, stronger flavored article prepared from large blue-fin tuna would appeal to a limited segment of consumers. (R. 14, 33-35, 46-47, 58-59)

6. The responses to a questionnaire answered by more than 4,000 consumers showed an interest on the part of a substantial number of consumers in having labels show whether the meat in the can is light or dark. A consumer survey in which interviewers visited 252 households in which the homemaker used canned tuna showed that 65 percent of these homemakers regarded a color photograph of a can of tuna measuring 5.3 on the Munsell scale as dark tuna. Over two-thirds of the homemakers interviewed were interested in whether the tuna they serve is light or dark tuna, and substantially all wanted the label on the cans to show whether the tuna is light or dark. (R. 140-141, 162-164, 168, 172, 184-189, 202-204, 210-212, 273, 278-279, 281-282; Ex. 14, 17, 18, 24, 25, 26)

7. In households where canned tuna is used, one of the forms in which it is most frequently served is as a salad. For use as a salad the color of tuna is important

to housewives and they wish to avoid dark tuna for salads. (R. 42, 168-169)

8. The other issue for the hearing arose from objections filed by distributors of water-pack tuna imported from Japan. These distributors objected to the requirement that the name on the label of such canned tuna should include the words "in water." They asserted: (a) That showing the words "in water" in the name would lead consumers to believe that water would be a major ingredient of the food and that cans so labeled would contain less fish than equal-sized cans of oil-pack tuna; (b) that consumers usually discard the oil from oil-pack canned tuna; (c) that by inference the provision concerning label declaration of the words "in water" requires that these words must follow the word "tuna" in the same line on labels. They declared that these assertions would be proved by consumer letters and consumer-survey data that would be produced at the hearing. (R. 86-87, 91, 98, 101, 106-107, 109, 111-114, 134-135; Ex. 23)

9. Historically, it has been conventional to use vegetable oil as the packing medium for canned tuna. Tuna canned in the United States, with the exception of tuna prepared for special dietary usage, has been packed in oil. Around 1951 or 1952 small quantities of imported canned tuna packed in water appeared on the United States markets. Since then, the volume of imported water-pack tuna has increased considerably but remains substantially below the total volume of oil-pack tuna on the market. (R. 108, 112, 121, 127, 145-146, 148-149, 173, 249-250; Ex. 15, 16)

10. By various expressions the objectors asserted that consumers usually discard the oil from oil-pack tuna. Two objectors stated that the oil is "in practically all instances discarded"; one that it "is usually discarded"; another that it is "common practice to discard the oils"; and two objectors asserted that it is safe to state that 98 percent of consumers dispose of the oil "since it is not considered an edible part of the contents." The objectors failed to prove their assertions. The results of a questionnaire-type survey submitted by the Food and Drug Administration showed that of more than 4,000 consumers who answered the questionnaire, 56.4 percent reported that when using oil-pack tuna they either always or sometimes use the oil. This percentage agrees well with data published by the Fish and Wildlife Service of the United States Department of the Interior, showing that of more than 1,900 homemakers interviewed in a 1956 survey, 38.7 percent reported that in using oil-pack tuna they always use the oil with the fish and 20.4 percent reported that they sometimes use the oil. (R. 109, 150, 278-279; Ex. 16, 24-26)

11. Consumers are concerned whether the canned tuna they purchase is the conventional oil-pack article or is tuna packed in water. Some labels on water-pack tuna have shown "no oil added" or "without added oil," but, in general, the declaration that the tuna is packed in water has been so subordinated on labels

that consumers would be apt to overlook it under customary conditions of purchase. Housewives serve canned tuna in various ways; they make salads, sandwiches, casserole dishes, tuna-with-noodles, and use tuna in other cooked dishes. Generally, recipes for the cooked dishes, and frequently those for tuna in salads, call for using the oil from the can along with the tuna fish. The oil adds richness and significantly increases the caloric value of the dishes. When following such recipes, a housewife using water-pack tuna needs to add butter, margarine, or salad oil. It promotes her interests for the label declaration showing that the tuna is packed in water to be so displayed that under ordinary conditions of purchase she will note it.

Some distributors of imported water-pack tuna have sought in their promotions to appeal to those consumers who wish to avoid high-calorie foods. These promotions have emphasized that canned tuna where water has been substituted for oil as the packing medium is lower in caloric value than conventional oil-pack tuna. The interest of these consumers also is promoted by a prominent label declaration to show that the tuna is packed in water. (R. 120, 128, 134, 137, 138, 167-174; Ex. 12)

12. A consumer survey especially designed to elicit evidence from a fair sample of homemakers on the issues raised in the objections to the canned tuna order was carried out by an organization experienced in conducting such consumer interviews. In this survey homemakers were shown cans of water-pack tuna under conditions designed to simulate those she would experience in marketing for canned foods. For cans with commercial labels, fairly representative of the labels that have been used on water-pack tuna and showing "Packed in water" on side panels, two-thirds of the homemakers interviewed mistakenly thought that the tuna was packed in oil. (R. 79-83, 178-190, 200-202, 207-210, 219, 221-223, 237, 245, 255, 270-271; Ex. 17-22)

13. The evidence at the hearing did not support the assertion by the objectors that including the words "in water" in the name on labels of water-pack tuna would lead consumers to believe water to be a major ingredient and to believe that the cans so labeled would contain less fish than similar cans of oil-pack tuna. In the consumer survey described in Finding 12, the interviewers showed homemakers cans of water-pack tuna with labels specially printed to conform to the requirements of the standard. The names on the labels were:

LIGHT TUNA FLAKES
IN WATER

and

SOLID PACK
LIGHT TUNA IN WATER

The homemakers were asked whether they thought the cans of water-pack tuna would contain less fish, the same amount of fish, or more fish than cans of the same size where the tuna is packed in oil. Half the homemakers answered that the amount of fish would be the

same and the others divided about equally between answering that there would be less fish or more fish in the cans of water-pack tuna. Two witnesses trained in statistically evaluating such data testified that these results do not support the claim that showing the words "in water" in the names on labels would lead consumers to believe the cans contain less tuna fish. (R. 87, 106-107, 111-112, 135, 204, 213-214, 251, 267-269, 274-275; Ex. 17-22)

14. The objectors to the labeling requirement for water-pack tuna failed to show that it would promote consumer interests to rescind the provision that the words "in water" be included in the name and to substitute a requirement that water be named on labels as an optional ingredient. One witness, supporting the objections, expressed approval of a suggestion that the words "in water" be shown on labels in type half as large, and on a line below, the other words in the name. A witness, trained and employed in the field of home economics, objected to the use of smaller type for the words "in water." She explained that women are accustomed to getting tuna packed in oil and for that reason when the tuna is packed in water the label should declare "in water" in easily legible type. She made no specific objection to the suggestion that these words be shown in a line immediately below other words in the name. (R. 97, 152, 154, 156, 165-168, 170, 173)

B. That the objections to the standard of identity be disallowed.

Effective date. Provisions A and B of this order are effective 120 days from the date of publication in the FEDERAL REGISTER.

C. That the stay as to the effective date of the labeling requirements of § 37.1(h) of the standard of identity for canned tuna (23 F.R. 245) shall terminate 120 days following the date of publication of this order in the FEDERAL REGISTER.

(Secs. 401, 701(e)(3), 52 Stat. 1046, 1055 as amended 70 Stat. 919; 21 U.S.C. 341, 371(e)(3))

Dated: August 31, 1962.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 62-8942; Filed, Sept. 6, 1962;
8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

LUBRICANTS WITH INCIDENTAL FOOD CONTACT

The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by Baker Castor Oil Company, 40 Avenue A, Bayonne, New Jersey, and The Haynes Manufacturing Company, 4180 Lorain Avenue, Cleveland 13, Ohio, and other relevant material, has concluded that the following regula-

tion should issue with respect to food additives resulting from the use of lubricants for food-handling and processing machinery. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart F the following new section:

§ 121.2553 Lubricants with incidental food contact.

Lubricants with incidental food contact may be safely used on machinery used for producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food, subject to the provisions of this section:

(a) The lubricants are prepared from one or more of the following substances:

(1) Substances generally recognized as safe for use in food.

(2) Substances used in accordance with the provisions of a prior sanction or approval.

(3) Substances identified in this subparagraph.

Substances:	Limitations
Castor oil-----	Addition to food not to exceed 10 parts per million
Mineral oil-----	Do.
Polybutene (minimum average molecular weight 80,000).	Do.
Polyethylene -----	Do.

(b) The lubricants are used on food-processing equipment as a protective antirust film, as a release agent on gaskets or seals of tank closures, and as a lubricant for machine parts and equipment in locations in which there is exposure of the lubricated part to food. The amount used is the minimum required to accomplish the desired technical effect on the equipment, and the addition to food of any constituent identified in this section does not exceed the limitations prescribed.

(c) Any substance employed in the production of the lubricants described in this section that is the subject of a regulation in this Subpart F conforms with any specifications in such regulation; and any substance that is not the subject of a regulation in this Subpart F conforms with the specifications, if any, prescribed by an order extending the effective date of the statute for such substance as an indirect additive to food.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with

particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: August 31, 1962.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 62-8941; Filed, Sept. 6, 1962;
8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

YELLOW PRUSSIAN OF SODA (SODIUM FERROCYANIDE DECAHYDRATE)

Correction

In F.R. Doc. 62-8809, appearing at page 8759 of the issue for Saturday, September 1, 1962, in the table for § 121.1032(a), the second entry in the "Uses" column should read: "As an adjuvant in the production of dendritic crystals of salt."

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER F—PERSONNEL

PART 574—UNITED STATES SOLDIERS' HOME

Eligibility for Admission

Paragraph (a) of § 574.3 is amended by adding new subparagraph (4), as follows:

§ 574.3 Persons eligible for admission to the home.

(a) The following personnel are eligible for admission to the home, except as indicated in § 574.4:

* * * * *

(4) *Female personnel.* Enlisted women and warrant officers of the Regular Air Force and enlisted women and warrant officers of the Regular Women's Army Corps are eligible for membership under the same conditions set forth in this part for enlisted men and warrant officers of the Regular Army and Regular Air Force.

[AR 905-10, 3 August 1962] (R.S. 4815, as amended; 24 U.S.C. 41)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 62-8949; Filed, Sept. 6, 1962;
8:51 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart A—Education and Training of World War II Veterans and Vocational Rehabilitation Under 38 U.S.C. Ch. 31

VOCATIONAL REHABILITATION FOR CERTAIN VETERANS BLINDED BY REASON OF A SERVICE-CONNECTED DISABILITY

A new § 21.801 is added to read as follows:

§ 21.801 Vocational rehabilitation for certain veterans blinded by reason of a service-connected disability.

(a) *Provisions of the act.* The law amends chapter 31, title 38, United States Code, by adding after section 1502 the following new section 1502A.

§ 1502A *Blinded veterans.* A veteran who is found to be in need of vocational rehabilitation to overcome the handicap of blindness resulting from a service-connected disability which affords basic eligibility for vocational rehabilitation under section 1502 (a) of this title may be afforded such vocational rehabilitation after the termination date otherwise applicable to him, but not beyond June 30, 1975, if

(1) he had not previously been rehabilitated (that is, rendered employable) as the result of training furnished under this chapter, or

(2) his blindness either has worsened, or has developed as a result of the worsening of his service-connected disability, since he was declared rehabilitated to the extent that it precludes his performing the duties of the occupation for which he was previously trained under this chapter.

(b) *Effect of the act.* The amendment makes vocational rehabilitation benefits available to disabled veterans of World War II and the Korean conflict who have not been rehabilitated from the present termination date to June 30, 1975, if the veteran is in need of vocational rehabilitation to overcome the handicap of blindness resulting from his service-incurred disability. Also included are benefits to a veteran who has been rehabilitated and whose blindness has developed as a result of his service-connected disability since he was declared rehabilitated to the extent that he is no longer able to perform duties of the occupation for which he received vocational rehabilitation training under chapter 31.

(c) *Definition.* For purposes of this act, blindness is defined as a visual impairment rated 70 percent or more disabling under the provisions of the Veterans Administration 1945 Schedule for Rating Disabilities, 1957 Loose Leaf Edition. The descriptions for these ratings are, in general, the same as the descriptions that are used to define industrial blindness. (Instruction 1, 38 U.S.C. 1502(c), Public Law 87-591.)

(72 Stat. 1114; 38 U.S.C. 210)

No. 174—3

This regulation is effective September 7, 1962.

[SEAL]

W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 62-8979; Filed, Sept. 6, 1962; 8:56 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 2087]

SUBCHAPTER C—AREAS SUBJECT TO SPECIAL LAWS

PART 115—REVESTED OREGON AND CALIFORNIA RAILROAD AND RECONVEYED COOS BAY WAGON ROAD GRANT LANDS IN OREGON

SUBCHAPTER T—SALE, LEASE, OR USE, AND ACQUISITIONS

PART 259—DISPOSAL OF TIMBER AND MINERAL RESOURCES

Qualifications of Bidders and Purchasers

On page 5873 of the FEDERAL REGISTER of June 21, 1962, there was published a notice and text of a proposed amendment of 115.22 and 259.9 of Title 43, Code of Federal Regulations. The purpose of the amendment is to provide for an access road loan program for small concerns.

Interested persons were given 30 days within which to submit written comments, suggestions or objections with respect to the proposed amendment. No comments, suggestions or objections have been received and the proposed amendment is hereby adopted without change and is set forth below. In order that the public may promptly receive the benefits of the amendment, it shall become effective at the beginning of the calendar day on which it is published in the FEDERAL REGISTER.

JOHN A. CARVER, Jr.,
Acting Secretary of the Interior.

AUGUST 31, 1962.

1. Section 115.22 is amended by designating the existing language as paragraph (a) and changing the letters in the first sentence to numbers in chronological order. A new paragraph, designated (b), is added. As so amended § 115.22 reads as follows:

§ 115.22 Qualifications of bidders.

(a) A bidder for the sale of timber must be (1) an individual who is a citizen of the United States, (2) a partnership composed wholly of such citizens, (3) an unincorporated association composed wholly of such citizens, or (4) a corporation authorized to transact business in the State of Oregon. A bidder must also have submitted a deposit in advance of sale as required by § 115.23. To purchase set-aside timber, the bidder must ac-

company his deposit with a self certification statement that he is qualified as a small business concern as defined by the Small Business Administration in its regulations (13 CFR Part 121).

(b) Where a timber sale notice provides that the successful bidder may use a Small Business Administration road construction loan, and the bidder has reason to believe that he qualifies for such road construction loan under SBA regulations (13 CFR Part 121), the bidder shall submit with his deposit a statement of his intention to file with SBA for such SBA road construction loan. If a statement is not timely filed, the Bureau may not participate in the cooperative loan program.

2. Section 259.9 is amended by designating the existing language as paragraph (a) and changing the letters in the first sentence to numbers in chronological order. A new paragraph, designated (b), is added. As so amended § 259.9 reads as follows:

§ 259.9 Qualification of bidders and purchasers.

(a) A bidder or purchaser for the sale of timber must be (1) an individual who is a citizen of the United States, (2) a partnership composed wholly of such citizens, (3) an unincorporated association composed wholly of such citizens, or (4) a corporation authorized to transact business in the States in which the timber is located. A bidder must also have submitted a deposit in advance, as required by § 259.10. To qualify for bidding to purchase set-aside timber, the bidder must accompany his deposit with a self certification statement that he is qualified as a small business concern as defined by the Small Business Administration (13 CFR Part 121).

(b) Where a timber sale notice provides that the successful bidder may use a Small Business Administration road construction loan, and the bidder has reason to believe that he qualifies for such road construction loan under SBA regulations (13 CFR Part 121), the bidder shall submit with his deposit a statement of his intention to file with SBA for such SBA road construction loan. If a statement is not timely filed, the Bureau may not participate in the cooperative loan program.

[F.R. Doc. 62-8966; Filed, Sept. 6, 1962; 8:54 a.m.]

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2767]

[Sacramento 072087]

CALIFORNIA

Partly Revoking Reclamation Withdrawal; Truckee-Carson Project

The departmental order of June 24, 1912, withdrawing lands in California in the first form of withdrawal for reclamation uses, is hereby revoked so far as it affects the following described lands (Auth: Sec. 3, act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416)):

MOUNT DIABLO MERIDIAN

T. 13 N., R. 17 E.,
Sec. 5, lots 1 and 2.

Containing 80 acres.

The lands are a part of the Eldorado National Forest. At 10:00 a.m. on October 6, 1962, they shall be subject to such forms of disposition as may by law be made of national forest lands.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 31, 1962.

[F.R. Doc. 62-8967; Filed, Sept. 6, 1962;
8:54 a.m.]

[Public Land Order 2768]

[Fairbanks 010082]

ALASKA

Partly Revoking Public Land Order No. 1205; Withdrawing Lands for Department of Army

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Public Land Order No. 1205 of August 10, 1955, withdrawing lands for use of the Department of the Air Force, is hereby revoked so far as it affects the following described lands:

FAIRBANKS MERIDIAN

T. 1 S., R. 4 E.,
Sec. 10, That portion of the W $\frac{1}{2}$ lying south of the Chena River;
Sec. 15, W $\frac{1}{2}$;
Sec. 18, That portion lying south of the Chena River;
Sec. 19, N $\frac{1}{2}$;
Sec. 20, S $\frac{1}{2}$;
Sec. 21, SW $\frac{1}{4}$;
Sec. 22, NW $\frac{1}{4}$.

Containing approximately 1,780 acres.

2. Subject to valid existing rights, the following described lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for use of the Department of the Army for military training purposes:

FAIRBANKS MERIDIAN

T. 1 S., R. 4 E.,
Sec. 20, S $\frac{1}{2}$;
Sec. 21, SW $\frac{1}{4}$.

Containing approximately 480 acres.

3. Until 10:00 a.m. on December 1, 1962, the State of Alaska shall have a preferred right to select the released lands in accordance with provisions of the act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46-3b) and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339).

4. Applications and selections under the nonmineral public land laws and applicable regulations may be presented to the Manager, named below, beginning on the date of this order. Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support thereof. All other applications will be subject to the ap-

plications and claims mentioned in this paragraph.

a. All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (3) and (4) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a.m. on December 1, 1962, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

5. The lands will be open to settlement under the homestead and Alaska homestead laws, and to location under the U.S. mining laws beginning at 10:00 a.m. on December 1, 1962.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

AUGUST 31, 1962.

[F.R. Doc. 62-8968; Filed, Sept. 6, 1962;
8:54 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Bombay Hook National Wildlife Refuge, Delaware

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

DELAWARE

BOMBAY HOOK NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Bombay Hook National Wildlife Refuge, Delaware, is permitted only on the area designated by signs as open to hunting. This open area, comprising 800 acres or 6 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 59 Temple Place, Boston 11, Massachusetts. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: White-tailed deer.

(b) Open season: From $\frac{1}{2}$ hour before sunrise to $\frac{1}{2}$ hour after sunset on October 6, 13, 20, and 27, 1962.

(c) Daily bag limits: One deer of either sex.

(d) Methods of hunting: Bows and arrows.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) Persons may enter the public hunting area only at the designated entrance gate.

(3) A Federal permit is required to enter the public hunting area. Permits may be obtained at the entrance to the public hunting area from $\frac{1}{2}$ hour before sunrise to $\frac{1}{2}$ after sunrise and at the refuge headquarters from $\frac{1}{2}$ hour after sunrise to sunset on the days when hunting is permitted on the refuge.

(4) The provisions of this special regulation are effective to October 28, 1962.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1962.

[F.R. Doc. 62-8950; Filed, Sept. 6, 1962;
8:51 a.m.]

PART 32—HUNTING

Deer Flat National Wildlife Refuge, Idaho

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

IDAHO

DEER FLAT NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Deer Flat National Wildlife Refuge, Idaho, is permitted only on the area designated by signs as open to hunting. This open area, comprising 840 acres or 7 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 NE. Holladay, Portland 8, Oregon. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Mule Deer.

(b) Open season: October 20 through November 4, 1962 (shotgun)—December 1 through 16, 1962 (bow and arrow)—Shooting hours—one hour before sunrise to one hour after sunset.

(c) Bag limits: One deer, either sex, each season.

(d) Methods of hunting:

(1) Weapons—Shotguns only (first season). Bow and arrow only (second season).

(2) Dogs—Dogs are not permitted for the hunting of deer.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) Camping—Camping will be permitted in designated areas only.

(3) Hunters must report at such checking stations as may be established when entering or leaving the area.

(4) State Cooperation—State cooperation may be enlisted in the regulation, management, and operation of checking stations or the public hunting areas, and the state may promulgate such special

regulations as may be necessary for these purposes.

(5) A Federal permit is not required to enter the public hunting area.

(6) The provisions of this special regulation are effective to December 17, 1962.

RICHARD E. GRIFFITH,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 30, 1962.

[F.R. Doc. 62-8955; Filed, Sept. 6, 1962; 8:52 a.m.]

PART 32—HUNTING

Fallon National Wildlife Refuge, Nevada

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

NEVADA

FALLON NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Fallon National Wildlife Refuge, Nevada, is permitted only on the area designated by signs as open to hunting. This open area, comprising 9,600 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 NE. Holladay, Portland 8, Oregon. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Ring-necked pheasant, Chukar and Hungarian Partridge, quail, sage grouse, mourning dove, and cottontail rabbit.

(b) Open season: Ring-necked pheasant—November 4 through 12, 1962; Chukar and Hungarian Partridge—September 29 through December 9, 1962; Quail—November 4 through 12, 1962; Sage Grouse—September 9-10, 1962; Mourning Dove—September 9 through October 20, 1962; Cottontail Rabbit—September 9, 1962, through January 31, 1963.

(c) Bag limits: As prescribed by State Regulation.

(d) Methods of hunting:

1. Weapons—Shotguns not larger than 10 gauge. Limited to 3 shell capacity when hunting mourning dove.

2. Dogs—Dogs may be used for hunting upland game.

(e) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

2. A Federal permit is not required to enter the public hunting area.

3. The provisions of this special regulation are effective to February 1, 1963.

RICHARD E. GRIFFITH,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1962.

[F.R. Doc. 62-8980; Filed, Sept. 6, 1962; 8:56 a.m.]

PART 32—HUNTING

Missisquoi National Wildlife Refuge, Vermont

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special conditions; big game; for individual wildlife refuge areas.

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

Hunting of big game on the Missisquoi National Wildlife Refuge, Vermont, is suspended for the 1962 season.

Annual inventory of big game animals indicates the population is such that no hunting should be permitted this year.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1962.

[F.R. Doc. 62-8951; Filed, Sept. 6, 1962; 8:51 a.m.]

PART 32—HUNTING

Montezuma National Wildlife Refuge, New York

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NEW YORK

MONTEZUMA NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Montezuma National Wildlife Refuge, New York, is permitted only on the area designated by signs as open to hunting. This open area, comprising 6,700 acres or 90 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 59 Temple Place, Boston 11, Massachusetts. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: White-tailed deer.

(b) Open season: Saturday, November 10, 1962 from 7:00 a.m. until 5:00 p.m.

(c) Daily bag limits: One deer of either sex.

(d) Methods of hunting: Bows and arrows only.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is required to enter the public hunting area. Such permits may be obtained by applying in person at the refuge headquarters on the day of the hunt.

(3) The provisions of this special regulation are effective to November 11, 1962.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1962.

[F.R. Doc. 62-8952; Filed, Sept. 6, 1962; 8:51 a.m.]

PART 32—HUNTING

Moosehorn National Wildlife Refuge, Maine

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MAINE

MOOSEHORN NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Moosehorn National Wildlife Refuge, Maine, is permitted only on the area designated by signs as open to hunting. This open area, comprising 21,000 acres or 93 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 59 Temple Place, Boston 11, Massachusetts. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: White-tailed deer.

(b) Open season: From ½ hour before sunrise to ½ hour after sunset November 1 to December 5, 1962 except Sundays.

(c) Daily bag limits: One deer only of either sex.

(d) Methods of hunting: Rifles firing center fire cartridges and shotguns with loads of either rifled slugs, single ball, or buckshot not smaller than single 0 may be used.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) All deer taken on the refuge must be presented at a refuge checking station for examination.

(3) A Federal permit is required to enter the public hunting area. Such permits may be obtained at the refuge headquarters Monday through Friday from 7:30 a.m. to 4:00 p.m. during the fifteen days prior to the hunt and thereafter on the days and during the hours when hunting is permitted.

(4) The provisions of this special regulation are effective to December 6, 1962.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1962.

[F.R. Doc. 62-8953; Filed, Sept. 6, 1962; 8:51 a.m.]

PART 32—HUNTING

Necedah National Wildlife Refuge, Wisconsin

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WISCONSIN

NECEDAH NATIONAL WILDLIFE REFUGE

Public hunting of big game on the Necedah National Wildlife Refuge, Wis-

consin, is permissible only on the areas designated by signs as open to hunting. These open areas, comprising approximately 39,500 acres and 98 percent of the total area of the refuge, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Minneapolis, Minnesota. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: White-tailed deer only, during the season specified below. The hunting of big game species as may be otherwise authorized by Wisconsin State regulations is prohibited.

(b) Open season: Early bow season, September 22 through November 13, 1962; gun season, November 17 through November 25, 1962; late bow season, December 1 through December 31, 1962. Hunting hours: from one-half hour before sunrise to sunset each day.

(c) Bag limit is one deer per person: Bow seasons, one deer of any age or sex; gun season, one deer, buck only, with antlers not less than three inches in length.

(d) Methods of hunting:

(1) Weapons—It is unlawful to hunt deer with any .22 rim-fire rifle or any .410 bore shotgun or any shotgun or musket charge other than single ball or slug. Bows used must have a pull of not less than 30 pounds. Arrows used must have well-sharpened metal broad head blades not less than seven-eighths of an inch long and not more than one and one-half inches in width.

(2) Blinds—May be constructed of dead materials only, no live trees or shrubs may be cut.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(3) A Federal permit is not required to enter the public hunting area.

(4) The provisions of this special regulation are effective September 22 through December 31, 1962.

URBAN C. NELSON,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 30, 1962.

[F.R. Doc. 62-8957; Filed, Sept. 6, 1962; 8:52 a.m.]

PART 32—HUNTING

Parker River National Wildlife Refuge, Massachusetts

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MASSACHUSETTS

PARKER RIVER NATIONAL WILDLIFE REFUGE

Hunting of big game on the Parker River National Wildlife Refuge, Massa-

chusetts, is suspended for the 1962 season.

Annual inventory of big game animals indicates the population is such that no hunting should be permitted this year.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1962.

[F.R. Doc. 62-8954; Filed, Sept. 6, 1962; 8:51 a.m.]

PART 32—HUNTING

Stillwater Wildlife Management Area, Nevada

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

NEVADA

STILLWATER WILDLIFE MANAGEMENT AREA

Public hunting of upland game on the Stillwater Wildlife Management Area, Nevada, is permitted only on the area designated by signs as open to hunting. This open area, comprising 180,430 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 NE, Holladay, Portland 8, Oreg. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Ring-necked pheasant, Chukar and Hungarian partridge, quail, sage grouse, mourning dove, and cottontail rabbit.

(b) Open season: Ring-necked pheasant—November 4 through 12, 1962; Chukar and Hungarian partridge—September 29 through December 9, 1962; Quail—November 4 through 12, 1962; Sage grouse—September 9-10, 1962; Mourning dove—September 9 through October 20, 1962; Cottontail rabbit—September 9, 1962 through January 31, 1963.

(c) Bag limits: As prescribed by State regulations.

(d) Methods of hunting:

(1) Weapons—Shotguns not larger than 10 gage. Limited to 3-shell capacity when hunting mourning dove.

(2) Dogs—Dogs may be used for hunting upland game.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area.

(3) The provisions of this special regulation are effective to February 1, 1963.

RICHARD E. GRIFFITH,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 31, 1962.

[F.R. Doc. 62-8956; Filed, Sept. 6, 1962; 8:52 a.m.]

Proposed Rule Making

POST OFFICE DEPARTMENT

[39 CFR Part 95]

TRANSPORTATION OF MAIL BEYOND BORDERS OF UNITED STATES

Proposed Increase in Compensation for Sea Transportation of Surface Mail and Formal Declaration of Service Elements Included in Compensation

The Department proposes, effective October 13, 1962, to amend the regulations in § 95.4 *Compensation for transportation of surface mail*, of Title 39, Code of Federal Regulations, as follows:

1. In general the rates of compensation for the services performed for the transportation of mail by American registry vessels are increased by about 10 percent. This overall increase has been made as a result of an analysis by the Post Office Department of claims made by the shipping lines in a petition filed with the Department on January 16, 1962, on behalf of 21 shipping lines, a staff report reviewing this petition, various factors pertaining to the handling of mail in international maritime service, increases in net cost to the shipping lines as well as increases made in commercial rates subsequent to 1951, and the response of the shipping lines to the staff report of the Department.

The increase is effected by a separate payment of some of the components of the present rate structure, that is, for cartage from postal facilities to piers, return of empty equipment, and by payment for foreign closed transit mail at the same rate as for U.S. origin mail. The payment on the basis of net weight is continued following a review and determination by the Department that the total maritime transportation compensation is adequate. Restatement to produce the same compensation on a gross weight basis could be done by a reduction in the maritime transportation rate. While the Department would have preferred to change the basis of payment from net to gross weight, industry representatives requested that the rate be continued on a net weight basis, if necessary, to prevent a reduction in the scale of maritime transportation rates.

2. No change is made in the level of compensation to foreign flag vessels nor to U.S. flag vessels transporting mail forwarded from the Canal Zone.

3. A new paragraph (d) is added permitting steamship companies which do not desire to carry mail to make application to the Department.

Although these proposed amendments relate to a proprietary function of the Government and confer a benefit upon the steamship companies, it is the desire of the Postmaster General voluntarily to observe the rule making requirements of the Administrative Procedure Act (5 U.S.C. 1003) in order that interested

persons may have an opportunity to present written views concerning the proposed amendments. Accordingly, such written views may be submitted to the Assistant Postmaster General, Bureau of Transportation, Post Office Department, Washington 25, D.C. at any time prior to the thirtieth day following the date of publication of this notice in the *FEDERAL REGISTER*.

The proposed amendment is as follows:
I. Section 95.4 *Compensation for transportation of surface mail*, is amended, effective October 13, 1962, to read as follows:

§ 95.4 Compensation for transportation of surface mail.

(a) Definite rates: Payment shall be made for the transportation of United States mail and foreign closed transit mail on steamships of the United States and foreign registry at the rates specified in the schedule below. The word "mail" includes parcel post. The rates cover all services performed by foreign flag vessels and all maritime services of U.S. flag vessels.

Distance conveyed (nautical miles)	(1) Rates ¹	(2) Rates ²
Up to 300 miles.....	3.6	1.8
Over 300 up to 600 miles.....	3.6	2.5
Over 600 up to 1,000 miles.....	3.6	3.1
Over 1,000 up to 1,500 miles.....	4.1	3.6
Over 1,500 up to 2,000 miles.....	5.4	4.0
Over 2,000 up to 2,500 miles.....	5.4	4.4
Over 2,500 up to 3,000 miles.....	5.4	4.7
Over 3,000 up to 3,500 miles.....	5.8	5.0
Over 3,500 up to 4,000 miles.....	6.1	5.3
Over 4,000 up to 5,000 miles.....	6.4	5.6
Over 5,000 up to 6,000 miles.....	7.0	6.1
Over 6,000 up to 7,000 miles.....	7.5	6.5
Over 7,000 up to 8,000 miles.....	7.8	6.8
Over 8,000 miles.....	8.0	7.1

¹ Rates for: Maritime transportation of mail (except U.S. Mail transhipped from the Canal Zone) including outbound empty equipment on steamships of United States registry (cents per pound, net weight for mail).

² Rates for: 1. All mail (including empty air mail sacks) on steamships of foreign registry; and 2. United States Mail transhipped from Canal Zone on steamships of United States registry (cents per pound, net weight for mail).

In addition to the maritime transportation rates shown in column (1) above, the Post Office Department will either pay steamships of United States registry directly for costs incurred by them or assume the responsibility for cartage from postal facility to pier.

(b) Special rates: This section shall not prevent a carrier from accepting maritime transportation rates lower than those shown in paragraph (a) of this section.

(c) The maritime transportation rates prescribed in paragraph (a) of this section while measured by the net weight of the mail, are intended in all cases to include payment for the weight of the covering mail bags. In the case of vessels of foreign registry, the maritime transportation rates prescribed in paragraph (a) of this section while measured by the net weight of the mail, also include compensation for the return of empty surface mail bags and the trans-

portation from the postal facility to the pier. Acceptance by steamship companies of mail for transportation constitutes an acceptance of this method of computing payment.

(d) Any steamship company desiring to be relieved of the transportation of mail may make written application to the Assistant Postmaster General, Bureau of Transportation, Post Office Department, Washington 25, D.C.

(R.S. 161, as amended; 5 U.S.C. 22, 18 U.S.C. 1724, 39 U.S.C. 501, 6101, 6409)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 62-9013; Filed, Sept. 6, 1962; 8:56 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 944]

ORANGES

Proposed Grade, Size, Quality, and Maturity Requirements for Imports

Pursuant to the authority contained in section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and as further amended by the Agricultural Act of 1961 (75 Stat. 303-306), notice is hereby given that the Department is giving consideration to the grade, size, quality and maturity requirements that will govern the importation of oranges into the United States.

There are at present four marketing orders effective pursuant to the said act that regulates the handling of oranges grown in the United States. Order No. 907, as amended (7 CFR Part 907), is applicable to Navel oranges grown in Arizona and in designated counties in California; Order No. 908, as amended (7 CFR Part 908), is applicable to Valencia oranges grown in Arizona and designated counties in California; Order No. 905, as amended (7 CFR Part 905), is applicable to Florida grown oranges; and Order No. 906 (7 CFR Part 906) is applicable to Texas grown oranges.

The act provides that, for specified commodities, including oranges, whenever two or more marketing orders regulating the same agricultural commodity produced in different areas of the United States are concurrently in effect, imports of such commodity shall be required to comply with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary, regulates the commodity produced in the area with which the imported commodity is in most direct competition. The proposal under consideration is to make applicable to all imports of oranges the same requirements as to grade, size,

quality, and maturity as those imposed under Order No. 906 on Texas oranges. Such requirements (§ 906.307 *Orange Regulation 4*) effective on September 1, 1962, are as follows:

* * * no handler shall handle:

(i) Any oranges of any variety, grown in the production area, which do not grade at least U.S. No. 3;

(ii) Any oranges of any variety, grown as aforesaid, which are smaller than $2\frac{3}{16}$ inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers, and not more than 15 percent, by count, of such oranges in any individual container in such lot, may be of a size smaller than $2\frac{3}{16}$ inches in diameter; * * *

When used herein, the terms "U.S. No. 3" and "diameter" shall have the same meaning as when used in the United States Standards for Oranges (Texas and States other than Florida, California, and Arizona) (7 CFR 51.680-51.712).

All persons who desire to submit written data, views, or arguments for consideration in connection with the foregoing proposals should do so by forwarding same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Room 2077, South Building, Washington 25, D.C., not later than the fifteenth day after publication of this notice in the FEDERAL REGISTER.

Dated: August 31, 1962.

PAUL A. NICHOLSON,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-8973; Filed, Sept. 6, 1962; 8:55 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Part 1002]

[Docket No. A0-71-A44]

MILK IN NEW YORK-NEW JERSEY MARKETING AREA

Supplemental Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and to Order

Notice was issued on August 23, 1962 (27 F.R. 8597), of a public hearing beginning at 10:00 a.m., e.d.t., September 18, 1962, at Woodbridge Motor Lodge, Woodbridge, New Jersey, on proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the New York-New Jersey marketing area.

Notice is hereby given pursuant to the provisions of the Agricultural Marketing

Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and orders, (7 CFR Part 900), that, in addition to the proposed amendments set forth in the original notice of hearing, evidence will be received with respect to the additional provisions specified in the proposals listed below or to appropriate modifications thereof.

The additional proposals set forth below have not received the approval of the Secretary of Agriculture.

Proposals numbered 1, 4, and 5 in the original notice (27 F.R. 8597) are hereby modified as follows:

Proposed by Hudson-Mohawk Independent Milk Producers' Cooperative, Inc., and Mutual Federation of Independent Cooperatives, Inc.:

Proposal No. 1 is amended to read as follows:

Proposal No. 1. Provide in § 1002.71(c) for direct-delivery differentials at the same rates and applicable to the same zones as specified in the order as effective prior to December 1, 1961, at the pasteurizing and bottling plant where the milk of producers is first received or delivered, either in cans or from farm bulk tanks.

Proposed by Dairymen's League Cooperative Association, Inc.:

Add the following as the introductory sentence to proposal No. 4: "Direct-delivery differentials should be applicable on can milk produced and delivered to pasteurizing and bottling plants only."

Proposal No. 5 is amended to read as follows:

Proposal No. 5. Direct-delivery differentials should be applicable on bulk tank milk received at pasteurizing and bottling plants, the rates for which to be determined on the evidence presented at the hearing and in conformity with Proposal No. 4.

Copies of this supplemental notice of hearing and the order may be procured from the Market Administrator, 205 East 42d Street, New York 17, New York, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on August 31, 1962.

H. C. FEDDERSON,
Acting Director, Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-8982; Filed, Sept. 6, 1962; 8:56 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. 570, 1962 Rev. Supp. No. 8]

BALBOA INSURANCE CO.

Surety Companies Acceptable on Federal Bonds

AUGUST 31, 1962.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U.S.C., secs. 6-13, as an acceptable surety on Federal bonds.

An underwriting limitation of \$244,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next revision of Department Circular 570, to be issued as of May 1, 1963. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D.C.

State in which Incorporated, Name of Company and Location of Principal Executive Office

California, Balboa Insurance Company, Los Angeles, California.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 62-8981; Filed, Sept. 6, 1962; 8:56 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Arizona 030451]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The United States Army Corps of Engineers has filed an application, Serial Number Arizona 030451 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the general mining and mineral leasing laws, subject to existing valid claims.

The applicant desires the land for construction, operation, and maintenance of Camelsback Dam and Reservoir.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections, in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 3022 Federal Building, Phoenix 25, Arizona.

If circumstances warrant it a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER BASE MERIDIAN, ARIZONA

- T. 5 S., R. 28 E.,
Sec. 30: SE $\frac{1}{4}$, unsurveyed.
T. 6 S., R. 28 E.,
Sec. 1: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$ and unsurveyed W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 2: S $\frac{1}{2}$, unsurveyed;
Sec. 11: N $\frac{1}{2}$, unsurveyed;
Sec. 12: N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed.
T. 5 S., R. 29 E.,
Sec. 7: W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 11: E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 12: Lot 1, Lots 5 to 16 inclusive, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and Patented Mineral Survey 1029B to 1033B inclusive;
Sec. 13: NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 14: SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$;
Sec. 15: E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 16: SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 18: N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 19: W $\frac{1}{2}$ E $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 21: NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 22: N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 25: Lots 2 and 3, Lots 5 to 16 inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 26: All;
Sec. 27: N $\frac{1}{2}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 28: N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 29: NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 30: All;
Sec. 31: N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$;
Sec. 32: NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 35: N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 36: Lots 1 and 2.

- T. 6 S., R. 29 E.,
Sec. 6: NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, unsurveyed;
Sec. 7: NW $\frac{1}{4}$ NW $\frac{1}{4}$, unsurveyed.
T. 5 S., R. 30 E.,
Sec. 6: Lots 3 to 6, 8, 9, 12, 13, 14, 15, 16, 17, 19, 20, 23, and 24 inclusive, and Mineral Survey 1654B;
Sec. 7: Lots 1 to 4 inclusive, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30: Lots 2, 3, 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 31: Lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 32: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
Sec. 33: SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 34: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 6 S., R. 30 E.,
Sec. 1: Lots 5 to 12 inclusive;
Sec. 2: Lots 1 to 12 inclusive;
Sec. 3: Lots 1 to 7 inclusive;
Sec. 4: Lots 1 to 6 inclusive, the North 9.44 acres of Lot 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the Gila River between the meander lines of said lots of secs. 1, 2, 3, and 4.

The area described above aggregates approximately 13,232.43 acres.

Dated: August 29, 1962.

FRED J. WEILER,
State Director.

[F.R. Doc. 62-8963; Filed, Sept. 6, 1962; 8:53 a.m.]

CALIFORNIA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

AUGUST 28, 1962.

The United States Department of Agriculture has cancelled its Proposed Withdrawal Application Serial No. Sacramento 048402 for withdrawal and reservation of lands as published in the FEDERAL REGISTER Document No. 57-7493 on page 7345 of the issue for September 13, 1957. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on October 2, 1962, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

MOUNT DIABLO MERIDIAN

- T. 23 N., R. 10 E.,
Sec. 4: Lots 3, 4, SW $\frac{1}{4}$;
Sec. 5: Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 6: Lots 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 9: NW $\frac{1}{4}$.
T. 24 N., R. 10 E.,
Sec. 31: SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 33: N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34: NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described totals approximately 879.96 acres in Plumas National Forest.

WALTER E. BECK,
Manager, Land Office, Sacramento.

[F.R. Doc. 62-8964; Filed, Sept. 6, 1962; 8:53 a.m.]

COLORADO

Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 31, 1962.

The Bureau of Reclamation of the Department of the Interior has filed an application, Colorado 088220 for withdrawal of the lands described below from public entry, under the first form of withdrawal, as provided by section 3 of the Act of June 17, 1902 (32 Stat. 338).

The applicant desires the land for reclamation purposes in connection with the Paonia Dam and Reservoir.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Gas and Electric Building, 910 15th Street, Denver 2, Colorado.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary of the Interior on the application will be published in the **FEDERAL REGISTER**. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 12 S., R. 89 W.,
Sec. 28, SW $\frac{1}{4}$ NW $\frac{1}{4}$.

The above described area aggregates 40 acres.

HAROLD T. TYSK,
*Chief, Division of
Lands and Minerals.*

[F.R. Doc. 62-8961; Filed, Sept. 6, 1962;
8:52 a.m.]

NEVADA

**Notice of Proposed Withdrawal and
Reservation of Lands**

AUGUST 31, 1962.

The Bureau of Reclamation has filed an application, Serial Number Nevada 058648 for the withdrawal of the lands described below, from all forms of appropriation, including the mining laws.

The applicant desires the land for use in connection with the proposed Moapa Valley Pumping Plant. For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Post Office Box Number 1551, Reno, Nevada.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the **FEDERAL REGISTER**. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, NEVADA

T. 14 S., R. 65 E.,
Sec. 13, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 15, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 16, SW $\frac{1}{4}$;
Sec. 22, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 25, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 36, lots 6 and 7.
T. 13 S., R. 66 E.,
Sec. 32, S $\frac{1}{2}$;
Sec. 33, S $\frac{1}{2}$;
T. 14 S., R. 66 E.,
Secs. 4 and 5;
Sec. 8, E $\frac{1}{2}$;
Sec. 9;
Sec. 10, W $\frac{1}{2}$;
Secs. 15 and 16;
Sec. 17, E $\frac{1}{2}$;
Sec. 18, lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 19;
Sec. 20, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 21, N $\frac{1}{2}$, SE $\frac{1}{4}$;
Sec. 22, E $\frac{1}{2}$;
Sec. 23, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 25, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;

Sec. 27, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 28, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 31, lot 2, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34, N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36, W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 15 S., R. 66 E.,
Sec. 1, lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 4, lots 1, 2, 3, and 4, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5, lots 1, 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 6, lots 1 and 7;
Sec. 8, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 9, S $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 15 S., R. 67 E.,
Sec. 7, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 14, W $\frac{1}{2}$;
Sec. 15, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 16, SW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 23, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 28, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 16 S., R. 67 E.,
Sec. 3, lot 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 15 S., R. 68 E.,
Sec. 31, lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 16 S., R. 68 E.,
Sec. 6, lots 3-7, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 7, lots 1 and 2, E $\frac{1}{2}$ NW $\frac{1}{4}$.

The area described contains 15,176.46 acres.

R. M. ZUNDEL,
*Acting Land Office Manager,
Post Office Box 1551, Reno,
Nevada.*

[F.R. Doc. 62-8962; Filed, Sept. 6, 1962;
8:53 a.m.]

[No. 63-2]

OREGON

**Notice of Proposed Withdrawal and
Reservation of Lands**

AUGUST 29, 1962.

The Bureau of Land Management has filed an application, Serial No. Oregon 012693, for the withdrawal of all public domain lands in Oregon which are in and west of Range 8 East, Willamette Meridian, Oregon, excepting and excluding the lands described below, from application under the nonmineral public land laws, except the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended; leases, permits, or easements under the act of September 3, 1954 (63 Stat. 1146; 43 U.S.C. 931c, 931d); and the right-of-way laws. The area to be withdrawn aggregates approximately 242,417 acres.

The withdrawal is applicable to all lands within the area described upon the cancellation or release of prior entries, selections, or claims, or upon the revocation of prior withdrawals unless expressly otherwise provided in the order of revocation. This withdrawal shall attach to all nonpublic lands in the area described, upon acceptance of title

to such lands by the United States which are received through exchange, or otherwise, and would become public domain lands.

The applicant desires these lands to facilitate their management for multiple uses including sustained yield timber production.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 710 NE. Holladay, Portland 12, Oregon.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the **FEDERAL REGISTER**. A separate notice will be sent to each interested party of record.

The lands excepted and excluded are:

WILLAMETTE MERIDIAN, OREGON

T. 4 S., R. 10 W.,
Sec. 19: Lots 1 and 2.
T. 6 S., R. 11 W.,
Sec. 15: Lot 15;
Sec. 23: Lot 13;
Sec. 24: Lot 35;
Sec. 27: Lot 15.
T. 15 S., R. 3 W.,
Sec. 20: Lots 1 and 2;
Sec. 26: Lots 4 and 5, South 8 feet of SE $\frac{1}{4}$.
T. 15 S., R. 5 W.,
Sec. 6: Lot 5.
T. 16 S., R. 3 W.,
Sec. 26: Lot 3.
T. 17 S., R. 5 W.,
Sec. 28: Lot 5.
T. 17 S., R. 6 W.,
Sec. 14: Lot 4.
T. 22 S., R. 6 W.,
Sec. 8: Lot 7.
T. 23 S., R. 5 W.,
Sec. 1: Lot 1.
T. 23 S., R. 7 W.,
Sec. 32: Lot 5.
T. 23 S., R. 8 W.,
Sec. 1: Lot 4.
T. 25 S., R. 4 W.,
Sec. 16: NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 26 S., R. 4 W.,
Sec. 10: Lot 1.
T. 27 S., R. 5 W.,
Sec. 12: NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 28 S., R. 7 W.,
Sec. 14: Lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 30 S., R. 2 W.,
Sec. 34: SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 30 S., R. 6 W.,
Sec. 20: Lots 1, 2, and 3.
T. 31 S., R. 2 W.,
Sec. 4: Lots 1 and 8.
T. 32 S., R. 7 W.,
Sec. 28: SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 35 S., R. 6 W.,
Sec. 14: NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 36 S., R. 1 E.,
Sec. 6: SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 37 S., R. 1 W.,
Sec. 10: SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 37 S., R. 2 W.,
Sec. 31: Lots 7 to 32 inclusive, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 38 S., R. 2 W.,
Sec. 10: NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 39 S., R. 1 W.,
Sec. 3: Lot 1.
T. 39 S., R. 2 W.,
Sec. 18: NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 41 S., R. 7 E.,
Sec. 13: Lot 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 924.94 acres.

RUSSELL E. GETTY,
State Director.

[F.R. Doc. 62-8965; Filed, Sept. 6, 1962;
8:54 a.m.]

[Utah (A-2); Order No. 1, Amdt.]

UTAH

Small Tract Classification; Amendment

Effective August 31, 1962, paragraph 5 is hereby amended to read as follows:

The lands classified by this order shall not become subject to applications under the Small Tract Act unless and until it is so provided by an order to be issued by an authorized officer of the Bureau of Land Management.

R. D. NIELSON,
State Director.

[F.R. Doc. 62-8959; Filed, Sept. 6, 1962;
8:52 a.m.]

[Utah (11-7)]

UTAH

Small Tract Classification; Amendment

Effective August 31, 1962, paragraph 9 is hereby amended to read as follows:

The lands classified by this order shall not become subject to application under the Small Tract Act unless and until it is so provided by an order to be issued by an authorized officer of the Bureau of Land Management.

R. D. NIELSON,
State Director.

[F.R. Doc. 62-8960; Filed, Sept. 6, 1962;
8:52 a.m.]

[Order No. 698, Amdt. 1]

CONTRACTS AND LEASES

Delegation of Authority

AUGUST 31, 1962.

1. Section 1(a) (5) is amended to read as follows:

SECTION 1 *Authority of Certain Offices to enter into Contracts and Leases.*

(a) * * *

(5) Those authorized to exercise the authority delegated by this section are: Assistant Director, Administration, Chief, Division of Administrative Services, Field Administrative Officers, State Directors.

2. Section 3 is amended to read as follows:

SEC. 3 *Revocation.* Bureau Order 679 of June 27, 1961, and its subsequent amendments are revoked. Redelegations of authority pursuant to Order No. 679 not inconsistent with the delegations herein made shall continue in force until revoked or superseded.

J. P. BEIRNE,
Acting Associate Director.

[F.R. Doc. 62-8958; Filed, Sept. 6, 1962;
8:52 a.m.]

No. 174—4

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-141]

AMERICAN EXPORT LINES, INC.

Notice of Hearing, Consolidation and Prehearing Conference

Notice is hereby given that a hearing has been authorized and directed to be held concerning an application filed by American Export Lines, Inc., 37-39 Broadway, New York 6, N.Y., for written permission of the Maritime Subsidy Board, under section 805(a) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1223, to allow this company's vessels operating in the subsidized Line F Round-the-World (Eastbound) Service to carry cargo and/or passengers without restriction from a port or ports in Puerto Rico to all United States North Atlantic ports (Maine-Virginia, inclusive).

The hearing will be conducted by the Chief Hearing Examiner, Maritime Administration/Maritime Subsidy Board, in accordance with the rules of practice and procedure of the Maritime Administration/Maritime Subsidy Board at a time and place to be announced and an initial decision will be issued.

Interested parties may inspect said application in the Office of the Chief Hearing Examiner, Room 3095 of the General Accounting Office Building, 441 G Street NW., Washington 25, D.C.

Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) must, before the close of business on September 14, 1962, notify the Secretary, Maritime Administration/Maritime Subsidy Board, in writing, in triplicate, and file a Petition for Leave to Intervene which shall state clearly and concisely the grounds of interest, and the alleged facts in support thereof. Notwithstanding anything in Rule 5(n) of the rules of practice and procedure, Maritime Administration/Maritime Subsidy Board, Petitions for Leave to Intervene received after the close of business on September 14, 1962, will not be granted in this proceeding.

Notice is further given that a Prehearing Conference in this proceeding will be held in Room 4519 of the General Accounting Office Building at 10 a.m., e.d.t., on Friday, September 21, 1962, before the Chief Hearing Examiner.

In order to facilitate conduct of the Prehearing Conference, Petitioners for Leave to Intervene are requested to file with the Chief Hearing Examiner (with copies to the Applicant and the Hearing Counsel Branch, Division of Operating Subsidy Contracts, Office of General Counsel, Maritime Administration/Maritime Subsidy Board) on or before September 19, 1962:

1. Motions pertaining to the scope of the proceeding.
2. Proposed stipulations.
3. Statements of position.
4. Requests for evidence.
5. Proposed procedural dates.

Service of the foregoing documents should also be made by each Petitioner for Leave to Intervene upon all other Petitioners for Leave to Intervene. Their names may be obtained from the Docket Clerk in the office of the Chief Hearing Examiner from and after September 17, 1962.

Since the geographical area of Puerto Rico is involved in both, the proceedings in Docket S-141 are hereby consolidated with the proceedings in Docket S-140, notice of which was published in the FEDERAL REGISTER on August 1, 1962 (27 F.R. 7580).

Dated: September 4, 1962.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 62-9031; Filed, Sept. 6, 1962;
8:56 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-155]

CONSUMERS POWER CO.

Notice of Issuance of Provisional Operating License

Please take notice that pursuant to an Initial Decision of the Hearing Examiner dated August 16, 1962, the Director of the Division of Licensing and Regulation has issued Provisional Operating License No. DPR-6 to Consumers Power Company for its boiling water nuclear reactor located in Charlevoix County, Michigan.

The license authorizes the loading of the reactor, the conduct of tests and the operation of the reactor up to and including steady-state power levels of 157 megawatts thermal but specifies that the core may not be loaded and operation of the facility may not begin until the Director, Division of Licensing and Regulation, has found that construction of the facility has been completed in conformity with Construction Permit No. CPFR-9 and the Application.

The license also provides that Consumers shall not load fuel or operate the reactor until it has filed with the Division of Licensing and Regulation proof of financial protection in accordance with Part 140 of the Commission's regulations in the amounts specified in the license.

The license will expire eighteen months after the date of its issuance (unless extended for good cause shown), or upon the earlier issuance of a superseding operating license.

Copies of the Initial Decision and the license are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 30th day of August 1962.

For the Atomic Energy Commission.

R. LOWENSTEIN,
Director, Division of
Licensing and Regulation.

[F.R. Doc. 62-8922; Filed, Sept. 6, 1962;
8:45 a.m.]

FEDERAL MARITIME COMMISSION

PAN AMERICAN FORWARDING CO., INC., AND J. D. SMITH INTER-OCEAN, INC.

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

Agreement No. 8999, is between Pan American Forwarding Co., Inc. of Miami, and J. D. Smith Inter-Ocean, Inc., of New York, each of whom is an independent ocean freight forwarder pursuant to section 44, Shipping Act, 1916. The parties will perform freight forwarding services for each other, dividing ocean freight brokerage equally. The party accomplishing the work will retain the entire forwarding fee.

Interested persons may inspect this agreement and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., or at the Commission's field offices at:

45 Broadway,
New York 4, N.Y.

701 Loyola Street,
New Federal Building,
P.O. Box 52948 (mailing address),
New Orleans, La.

180 New Montgomery Street,
San Francisco, Calif.

They may submit, to the Secretary, within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to it, and their position as to approval, disapproval, or modification thereof, together with request for hearing should such hearing be desired.

Dated: September 4, 1962.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 62-8977; Filed, Sept. 6, 1962;
8:56 a.m.]

AMERICAN PRESIDENT LINES, LTD., AND KNUSTEN LINE

Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):

Agreement 8991, between American President Lines, Ltd., and the carriers comprising the Knutsen Line joint service, covers a through billing arrangement for the transportation of frozen lobster tails, in boxes, from Fremantle, Australia to Honolulu, Hawaii, with transshipment at Hong Kong.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulations, Fed-

eral Maritime Commission, Washington, D.C., and may submit within eight days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Commission.

Dated: September 6, 1962.

THOMAS LIST,
Secretary.

[F.R. Doc. 62-9034; Filed, Sept. 6, 1962;
8:56 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-11294 etc.]

ARKANSAS LOUISIANA GAS CO.

Notice of Further Extension of Time and Postponement of Hearing

AUGUST 30, 1962.

Arkansas Louisiana Gas Company, Docket Nos. G-11294, G-13459, G-16508, G-19657, and RP61-11.

Upon consideration of the request filed August 24, 1962, by Counsel for Arkansas Louisiana Gas Company for a further extension of time within which to serve prepared testimony and exhibits for its case-in-chief upon all parties as ordered in Paragraph (C) of the Commission's order of July 5, 1962, and for further postponement of the hearing presently scheduled for September 24, 1962;

Notice is hereby given that the time within which Arkansas Louisiana Gas Company shall serve its prepared testimony and exhibits for its case-in-chief upon all parties is hereby further extended to and including September 30, 1962, and that the hearing presently scheduled for September 24, 1962, is further postponed to October 24, 1962.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 62-8926; Filed, Sept. 6, 1962;
8:45 a.m.]

[Docket Nos. CP62-266, CP62-267]

EL PASO NATURAL GAS CO. AND SOUTHWEST GAS CORP.

Notice of Applications and Date of Hearing

AUGUST 30, 1962.

Take notice that on May 16, 1962, as supplemented on June 26 and June 27, 1962, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas, filed in Docket No. CP62-266 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon facilities and for a certificate of public convenience and necessity to acquire, construct, and operate facilities, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

Take further notice that on May 16, 1962, as supplemented on June 19, June 28, July 16, and July 19, 1962, Southwest Gas Corporation (Southwest), P.O. Box 271, Las Vegas, Nevada, filed in Docket No. CP62-267 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for permission and approval to abandon facilities and for a certificate of public convenience and necessity to construct and operate facilities, all as more fully set forth in the application as supplemented, which is on file with the Commission and open to public inspection.

El Paso seeks authority to (1) purchase approximately 35 miles of 10 $\frac{3}{4}$ -inch and 16-inch transmission lines from Southwest, (2) abandon in place approximately 7.52 miles of 10 $\frac{3}{4}$ -inch pipeline purchased from Southwest, and (3) loop approximately ten miles of its San Juan main line facilities with 30-inch pipe and approximately nine miles of the lateral serving Southwest with 16-inch pipe, construct and operate a 1,040 horsepower compressor station to serve the lateral line to Southwest, and add 2,500 additional horsepower and other compression modifications at various stations on the San Juan Topock main line.

Southwest proposes to (1) sell the facilities described above to El Paso, (2) abandon and remove approximately 29.52 miles of 10 $\frac{3}{4}$ -inch pipeline located in California, and (3) relocate approximately 15 miles of the 10 $\frac{3}{4}$ -inch abandoned line and loop existing facilities in Nevada with approximately 55.1 miles of 16-inch line.

El Paso plans to pay \$885,467 for the pipeline to be acquired from Southwest. The part of this pipeline to be abandoned is valued at about \$102,000. El Paso's construction costs are estimated at \$3,247,000. El Paso proposes to finance the project from current working funds, supplemented, as necessary, with short-term bank loans.

Southwest's project is estimated to cost \$2,686,776, to be financed from internal sources, from short-term bank loans, and from such external sources as may be authorized by the Public Utilities Commission of California and the Arizona Corporation Commission.

El Paso's project will increase the capacity on its San Juan line by 70,340 Mcf per day. Southwest's project is designed to increase its present capacity by 40,000 Mcf to a total of 100,000 Mcf per day. The proposed increased capacity will enable Southwest to make increased deliveries to its existing customers. The principal purchaser of the increased quantities will be Nevada Power Company which desires the additional gas to increase its electrical output.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Octo-

ber 9, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 26, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-8928; Filed, Sept. 6, 1962;
8:45 a.m.]

[Docket No. RI63-58]

HURLEY OIL AND GAS CO. ET AL.

Order Suspending Proposed Change in Rate and Setting Date for Hearing

AUGUST 30, 1962.

On August 10, 1962, Hurley Oil and Gas Company (Operator), et al., (Hurley)¹ tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The sale is made at a pressure base of 15.025 psia. The proposed change is designated as follows:

Description: Notice of Change, dated August 6, 1962.

Purchaser: Transcontinental Gas Pipe Line Corporation.

Producing area: Vacherie Field, St. James Parish, La. (Southern Louisiana).

Rate schedule designation: Supplement No. 1 to Hurley's FPC Gas Rate Schedule No. 8.

Proposed rate: 24.05 cents per Mcf.²

Effective rate: 23.05 cents per Mcf.³

Annual increase: \$1.825.

Effective date: September 10, 1962 (stated effective date is the date proposed by Hurley).

The fact that the increased rate herein proposed is the highest ever filed with this Commission for sales in the South Louisiana area and is higher than any rate ever proposed by a producer for the initial sale of gas from this area, points up the need to suspend the effectiveness of the rate and to order an ex-

pedition hearing thereon. Moreover, this need is underlined by the fact that not only will the increased rate, if permitted to become effective, result in a substantial increase in pipeline gas purchase costs⁴ but the triggering effect of such increased rate on other producer rates could exceed \$230,000 per year from this area. The proposed rate may also serve as a basis for a price redetermination at a higher rate under other gas purchase contracts in this area. Additionally, the proposed increased rate is greatly in excess of the applicable price level set forth in the Commission's Statement of General Policy No. 61-1, as amended.

In view of the need for expeditious action herein, the hearing examiner is directed to take all steps necessary to make certain that the hearing proceeds with the greatest dispatch and in accordance with the procedural requirements hereinafter set forth.

The increased rate and charge so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 15, and 16 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held on October 15, 1962, commencing at 10:00 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 1 to Hurley's FPC Gas Rate Schedule No. 8.

(B) Pending such hearing and decision thereon, Supplement No. 1 to Hurley's FPC Gas Rate Schedule No. 8 is hereby suspended and the use thereof deferred until February 10, 1963, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Prior to the hearing, on or before October 1, 1962, Hurley shall serve upon all parties to this proceeding its direct evidence in support of its proposed increased rate and charge for the subject sale; at the beginning of the hearing, witnesses for Hurley shall adopt their testimony and be cross-examined; the presiding examiner shall then determine and order such further procedures as will expedite the determination of the issues in this proceeding.

(D) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8

and 1.37(f)) on or before September 17, 1962. Answers to petitions to intervene may be filed within 10 days after the date of service of the petition, but in no event later than September 25, 1962.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-8931; Filed, Sept. 6, 1962;
8:46 a.m.]

[Project No. 2318]

NIAGARA MOHAWK POWER CORP.

Notice of Application for License

AUGUST 30, 1962.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Niagara Mohawk Power Corporation (correspondence to Lauman Martin, Vice President and General Counsel, Niagara Mohawk Power Corporation, 300 Erie Boulevard West, Syracuse 2, New York) for a license for constructed water-power Project No. 2318, known as the "E. J. West Project", located on the Sacandaga River, about six miles upstream from the confluence of the Sacandaga and Hudson Rivers, in Saratoga County, New York, in the vicinity of Hadley and Conklingville, affecting navigable waters of the United States, and consisting of the intake structure with tractor type headgates located at the downstream end of the spillway channel of the Conklingville Dam, of the Hudson River-Black River Regulating District of the State of New York; four concrete penstocks, two for each unit; a powerhouse located 600 feet downstream containing two 14,000-horsepower turbines each connected to a generator of 10,000-kilowatt capacity; tailrace and other necessary appurtenances.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is October 11, 1962. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-8927; Filed, Sept. 6, 1962;
8:45 a.m.]

[Docket No. G-13255 etc.]

SHELL OIL CO. ET AL.

Notice of Severance

AUGUST 30, 1962.

Shell Oil Company, et al., Docket No. G-13255, et al.; Edwin L. Cox, Docket No. CI62-621; Dunlap Oil Company, Docket No. CI62-954; Texaco Inc., Docket No. CI61-1757.

Notice is hereby given that the three above-entitled matters, heretofore scheduled for a hearing to be held in Washington, D.C., on September 5, 1962, at 9:30 a.m. e.d.s.t. in the consolidated proceeding entitled Shell Oil Company, et al.,

¹ Address is: 400 Petroleum Building, Shreveport, Louisiana.

² Periodic rate increase.

³ Hurley is presently selling gas under a temporary certificate issued in Docket No. G-17775, at 23.05 cents per Mcf unconditioned.

⁴ Indeed the proposed increased rate exceeds the commodity component in the CD rate of the purchaser, Transcontinental Gas Pipe Line Corporation, for its applicable rate zone.

Docket Nos. G-13255, et al., are severed therefrom and will be consolidated in the proceeding entitled Amerada Petroleum Corporation, et al., Docket Nos. CI62-1544, et al., by order of the Commission issued August 30, 1962.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-8929; Filed, Sept. 6, 1962;
8:46 a.m.]

[Docket No. G-13255 etc.]

SHELL OIL CO. ET AL.

Notice of Severance

AUGUST 30, 1962.

Shell Oil Company, et al., Docket No. G-13255, et al.; Producing Properties, Inc., et al., Docket No. CI61-1236; J. N. Pratt, et al., Docket No. CI62-1373.

Notice is hereby given that the proceedings in Docket Nos. CI61-1236 and CI62-1373, being the applications of Producing Properties, Inc., et al. and J. N. Pratt, et al., respectively, heretofore scheduled for a hearing to be held in Washington, D.C., on September 5, 1962, at 9:30 a.m., e.d.s.t., in the consolidated proceeding entitled Shell Oil Company, et al., Docket Nos. G-13255, et al., are severed therefrom for such disposition as may be appropriate.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-8930; Filed, Sept. 6, 1962;
8:46 a.m.]

[Docket No. G-9446 etc.]

SHELL OIL CO. ET AL.

Order Amending Order Conditionally Approving General Rate Settlement Proposal, Severing Proceedings, Terminating Proceedings and Requiring Refunds

AUGUST 30, 1962.

On August 1, 1962, the Commission issued an order in the above-entitled proceedings conditionally approving the general rate settlement proposal of Shell Oil Company (Shell). In the order we noted that the settlement proposal involved certain sales for which the issuance of related permanent certificates is pending, and provided for the setting of abridged certificate hearings thereon, indicating that the proposed initial price is the settlement price. Included in such sales is the Eugene Island Block No. 128 Field sale to Transcontinental Gas Pipe Line Corporation (Transco) under Shell's FPC Gas Rate Schedule No. 244 which is being rendered under temporary authorization in Docket No. CI61-1066.

By telegram of August 13, 1962, to the Secretary, Shell informed the Commission that when preparing its settlement

proposal Shell erroneously assumed that a Louisiana gas severance tax was being paid on production of gas under its Rate Schedule No. 244 and that Transco was reimbursing Shell for part of said tax. Shell stated that as the lands covered by said rate schedule are located within Zone 3, Offshore Louisiana, its sales of gas therefrom are not subject to such tax. Accordingly, Shell agrees that the settlement price and the proposed initial price involved in the abridged certificate hearing should be 19.5 cents per Mcf, in lieu of the 21.25 cents per Mcf as reflected in Appendix A, Sheet 10 of 15 of the Commission's order issued herein on August 1.

The Commission orders:

For the foregoing reasons, our order issued August 1, 1962 in these proceedings, is hereby amended to reflect therein the substitution of 19.5 cents per Mcf, in lieu of 21.25 cents per Mcf, as the proposed settlement price under Shell's FPC Gas Rate Schedule No. 244 in Appendix A, Sheet 10 of 15.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-8932; Filed, Sept. 6, 1962;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 4, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37911: *Fine coal to McManus and Mitchell, Ga.* Filed by O. W. South, Jr., Agent (No. A4231), for interested rail carriers. Rates on bituminous fine coal, as described in the application, in carloads, from mine origins on the N & W Ry., in southwest Virginia, to McManus and Mitchell, Ga.

Grounds for relief: Market competition.

Tariff: Supplement 44 to Southern Freight Association tariff I.C.C. S-64.

FSA No. 37912: *Iron and steel articles to points in Texas.* Filed by Southwestern Freight Bureau, Agent (No. B-8257), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from points in official (not including Illinois), and southern territories, to Fondren, Nadeau, San Leon and Seabrook, Tex.

Grounds for relief: Market Competition.

Tariff: Supplement 277 to Southwestern Freight Bureau tariff I.C.C. 4308.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-8943; Filed, Sept. 6, 1962;
8:50 a.m.]

[Drouth Order No. 62; Amdt. No. 2]

KENTUCKY AND GEORGIA

Drouth Order; Addition of Certain Counties

In the matter of relief under section 22 of the Interstate Commerce Act.

It appearing, that due to the drouth conditions existing in the State of Kentucky the Commission issued its Drought Order No. 62 under section 22 of the Interstate Commerce Act authorizing the railroads subject to the Commission's jurisdiction to transport hay to the drouth area at reduced rates;

And it further appearing, that the United States Department of Agriculture has requested the Commission to enter an order authorizing the same authority to additional counties in the State of Kentucky and to portions of the State of Georgia:

It is ordered, That Drouth Order No. 62, as amended, be, and it is hereby, further amended by adding thereto the following counties:

Kentucky, 24 counties, viz.:

Allen.	Daviess.	Jefferson.
Barren.	Edmonson.	Larue.
Butler.	Fulton.	Livingston.
Caldwell.	Hancock.	Lyon.
Carlisle.	Hardin.	Marshall.
Christlan.	Hart.	Meade.
Crittenden.	Henderson.	Ohio.
Cumberland.	Hickman.	Warren.

Georgia, 4 counties, viz.:

Bleckley.	Screven.	Twiggs.
Laurens.		

It is further ordered, That in all other respects Drouth Order No. 62 as amended shall remain in full force and effect.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association—Eastern Railroads, New York, N.Y., the Chairman of the Southern Freight Association, Atlanta, Georgia, the Chairman of the Executive Committee, Western Traffic Association, Chicago, Illinois, the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 31st day of August, A.D. 1962.

By the Commission, Chairman Murphy.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-8978; Filed, Sept. 6, 1962;
8:56 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4579]

AUTOMATED PROCEDURES CORP.

Order Summarily Suspending Trading

AUGUST 31, 1962.

The Class A stock, par value 5 cents per share, of Automated Procedures Corp., being listed and registered on The National Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on The National Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, September 2, 1962, through September 11, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-8969; Filed, Sept. 6, 1962;
8:54 a.m.]

[File No. 1-3445]

E. L. BRUCE CO.

Order Summarily Suspending Trading

AUGUST 31, 1962.

The common stock, par value \$1.00, of E. L. Bruce Co. (Incorporated), being

listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, September 1, 1962, through September 10, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-8970; Filed, Sept. 6, 1962;
8:54 a.m.]

[File No. 1-4597]

INDUSTRIAL ENTERPRISES, INC.

Order Summarily Suspending Trading

AUGUST 31, 1962.

The Common assessable stock, \$1.00 par value, of Industrial Enterprises, Inc., being listed and registered on the San Francisco Mining Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any

transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, September 2, 1962, through September 11, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-8971; Filed, Sept. 6, 1962;
8:54 a.m.]

[File No. 1-4583]

PRECISION MICROWAVE CORP.

Order Summarily Suspending Trading

AUGUST 31, 1962.

The Common Stock, Par Value \$1.00, of Precision Microwave Corp., being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, September 1, 1962, through September 10, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-8972; Filed, Sept. 6, 1962;
8:54 a.m.]

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